RGI Administration Manual

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How to Use the RGI Manual

The RGI Administration Manual is the primary resource for housing providers on how to administer the rent-geared-to-income (RGI) program on behalf of the City of Toronto. Throughout this Manual, rent-geared-to-income assistance is represented by the acronym RGI.

The RGI Administration Manual is intended primarily for use by staff and boards of directors of

- HSA Section 78 mandated co-operative and non-profit housing providers
- Toronto Community Housing Corporation (TCHC)
- non-profit and affordable housing providers who administer rent supplement programs, under agreement with the City of Toronto

This manual should be used in conjunction with the training materials as a resource for RGI Administrators in the correct administration of the RGI program.

Terminology Used in the Manual

When the RGI Administration Manual uses the term "RGI Administrator", it is referring to a person designated as responsible for the management and implementation of the RGI program within their organization. The RGI Administrator's responsibilities include filling vacancies using the Centralized Waiting List (CWL), managing internal transfer lists, verifying eligibility and calculating RGI rent for households receiving an RGI subsidy. RGI Administrators must have successfully completed both the RGI administration and waiting list management training requirements.

In some instances, non-profits and co-ops use different terminology. For simplicity, we have used the non-profit terms for the majority of this manual. Throughout the manual reference to

- "tenants" includes co-op members
- "rent" includes co-op housing charges
- "leases" includes co-op occupancy agreements

City Guidelines and Local Rules

City Guidelines alert housing providers to a change in RGI policy and/or procedures and direct them to comply with the RGI Administration Manual. All Local Rules related to the administration of the RGI Program are detailed in the RGI Administration Manual.
The RGI Manual is an Online Resource

Bookmark the online RGI Administration Manual and refer to it when you have any questions about the administration of the RGI program. By using only the online version you will always be referring to the most up-to-date version of the RGI Administration Manual. Do not print the manual.

The RGI Forms and Tools section of the website includes template forms. Also use the online version of the forms and tools to be sure you are using the most up-to-date version. The use of several of these templates is mandatory as identified in their title.

This Manual is a comprehensive resource for the administration of the RGI Program. However, if you happen to come across situations that are not covered in this Manual, contact your City of Toronto Housing Consultant.
Chapter 1: Definitions

This chapter includes definitions of the terms generally used in the administration of the RGI program.

Access to Housing (formerly Housing Connections)
Access to Housing is the City of Toronto unit responsible for managing the Centralized Waiting List (CWL). Access to Housing is responsible for maintaining waiting lists for RGI units in social housing. Access to Housing was formerly known as Housing Connections.

Adjusted household income
The total of all income for a household (including all benefit and family units) minus the employment deduction (if applicable), and excluded income.

Affidavit
A written statement sworn before a notary public or another person who has the authority to witness an oath.

Affordable housing provider
A housing provider with buildings constructed with capital funding from the provincial and/or federal governments or that has received municipal incentives. Maximum rents must average no more than average market rent as established by the Canada Mortgage and Housing Corporation.

While there is no operating funding included in affordable housing programs, they may have RGI units if the affordable housing provider has signed a rent supplement agreement with the City of Toronto.

Alternative housing provider
A housing provider with a mandate to provide housing to households that are homeless or hard to house. This mandate must be recognized by the City of Toronto as Service Manager.

Arrears
Money owed to a housing provider as rent or as a result of damage caused by a member of the household.

Basic eligibility criteria
A set of conditions that a household must meet to be eligible for RGI housing. Basic eligibility criteria are set through the HSA and in Local Rules set by the Service Manager. Eligibility criteria are detailed in Chapter 3 of this Manual.
Benefit unit
A benefit unit refers to a single person, couple or family that receives a monthly payment from Ontario Works (OW) or Ontario Disability Support Program (ODSP). There may be multiple benefit units in a household, and a benefit unit is not considered to be part of a family unit.

Business day
A day from Monday to Friday, other than a statutory holiday.

Capital gains
Profits from the sale of personal assets such as real estate, stocks or bonds, or other investments.

Centralized Waiting List (CWL)
The list of households that have applied for RGI housing in the City of Toronto. The HSA requires all service managers to maintain a centralized waiting list (CWL) for RGI housing. Any household receiving any RGI subsidy must be selected from this list, with the exception of applicants to alternative housing providers.

Child
Under the HSA, any child living in the unit who is a child
• of the leaseholder(s)
• that the leaseholder(s) have legally adopted
• that the leaseholder(s) treat as their child

Under Local Occupancy Standards, a child is less than 18 years of age. Once a person is 18, they are considered an adult. A child does not include a foster child.

Child of the household
A child of any member of the household who
• has always lived at home except for short periods while in full-time attendance at a recognized educational institution; and
• has never had a spouse; and
• is not the parent of a child living in the household.

There is no age limit to the definition of a child of the household. The "child of the household" definition is used within RGI administration for the purposes of RGI calculations.
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Disadvantaged priority
A priority designation assigned to applicants on the CWL who are:
- homeless, including homeless newcomers
- families separated because of a lack of affordable housing
- youth who were 16 or 17 years old when they applied to the CWL

Housing providers must fill every seventh RGI vacancy from the CWL with a household who has a disadvantaged priority designation.

Divest
To sell a property, transfer an interest in a property, or terminate the lease for a property.

Employment income
Income received through employment-related activities, including
- wages
- salary
- commission
- tips and gratuities,
- vacation pay,
- employment insurance benefits,
- wage replacement benefits such as WSIB, and
- short-term disability from a private employment-related insurance plan

Family Responsibility Office
The Family Responsibility Office is a part of the Ontario Ministry of Children, Community and Social Services. They receive every support order made by a court in Ontario and have the legal authority to collect support payments.

Family unit
A family unit, for the purposes of calculating RGI rent, is defined as:
- a person
- a person and their spouse
- a person, their spouse, and, if either person has children, any children that live with them

It is possible for there to be more than one family unit in a household. Under the HSA, individuals who receive assistance from Ontario Works or Ontario Disability Support Program are not considered a part of a family unit.
Chapter 1: Definitions

Fluctuating income
Income that is unpredictable and changes from month to month. Fluctuating income may be seasonal or irregular. It is usually hourly paid wages where the number of hours worked varies daily or weekly and is received from one or more employer(s) during the same month.

Full-time attendance
In relation to a student attending a recognized educational institution, full-time attendance means:
- for a student having a permanent disability, taking at least 40 per cent of a full course load
- for any other student, taking at least 60 per cent of a full course load, as determined from the course calendar of the educational institution

Gross household income
The total income for all members of the household (excluding OW or ODSP) before any deductions.

High need household
A household with annual income less than or equal to the maximum annual household income set out in Schedule 1 (O. Reg. 370/11) for the size of unit the household occupies and the area where the unit is located.

Household
Household refers to the people who live permanently in a housing unit. A household can refer to one person who lives alone or to a group of people who live together in the unit. A household could also be made up of multiple family and benefit units.

Housing Connections
This is the former name of Access to Housing.

Housing provider
For the purposes of this manual, a housing provider is an organization that provides social or affordable housing, administered by the City of Toronto. Housing providers include Toronto Community Housing Corporation (TCHC) and non-profit housing and co-operative housing providers.

Housing portfolio
One or more buildings owned by a housing provider.
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**Housing Services Act, 2011 (HSA)**  
Provincial legislation under which the City of Toronto administers its social housing portfolio and sets Local Rules as permitted under the *Housing Services Act, 2011* (HSA). The HSA came into effect on January 1, 2012, and replaced the *Social Housing Reform Act, 2000* (SHRA).

**Housing Stability Services (HSS)**  
The unit within the Shelter, Support and Housing Administration (SSHA) at the City of Toronto that administers the Service Manager's responsibilities on behalf of the City.

**Imputed rate of return**  
The imputed rate of return is an estimate of the financial benefit an individual receives from assets that do not produce regular income or interest.

**Income producing asset**  
An investment that produces a predictable income, such as interest from a Guaranteed Investment Certificate or a bond.

**Live independently**  
A person can live independently if they can do the essential activities of day-to-day living (such as dressing, eating, bathing) for themselves or if support services are in place to help them with these tasks.

**Local housing corporations**  
Corporations created by the *Social Housing Reform Act, 2000* (SHRA), and controlled by the service manager as sole shareholder, owner and operator of public and social housing. In the case of Toronto, this is the Toronto Community Housing Corporation (TCHC).

**Local Occupancy Standards**  
The standards set by the City of Toronto, as Service Manager, for the minimum and maximum number of bedrooms an applicant household would qualify for in an RGI unit.

**Local Rules**  
The rules which the HSA allows a service manager to establish. Housing providers must follow the Local Rules set by the City of Toronto as Service Manager.

**Mandate**  
Requirement of some housing providers to provide housing for defined groups of people. For example, some mandates require that tenants be seniors, artists or members of a specific ethnic community. Alternative housing providers have a mandate to provide housing to people who are homeless or hard to house.
Market rent
The rent paid by a household in social housing who is not receiving RGI assistance.

Modified units
Units with special features to meet the needs of people with physical disabilities.

Non-benefit income
Non-benefit income is income received by a benefit unit over and above their income from Ontario Works (OW) or the Ontario Disability Support Program (ODSP).

Non-income-producing assets
Assets that do not produce regular income or interest.

Over-housed
An RGI household is over-housed if the unit they live in has more bedrooms than the City of Toronto’s Local Occupancy Standards allow.

Permanent resident
A person who is legally residing permanently in Canada but is not a citizen.

Personal information
Personal information is defined as recorded information that identifies an individual and gives information such as
- their race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status
- their education, medical, criminal, or employment history
- their financial transactions
- any identifying number or symbol assigned to them
- their address, telephone number, fingerprints, or blood type
- confidential correspondence sent by the individual to an institution and any response to such correspondence
- the views or opinions of another individual about them
- the individual’s name where it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual

This applies to any record of information however recorded whether in print, on film, or by electronic means.
Preferences
The choices of building addresses made by a household on the Centralized Waiting List (CWL).

Province-Wide Arrears Database (PWAD)
An online database used by Ontario Service Managers to record social housing arrears and RGI-related convictions.

Recognized educational institution
A recognized educational institution is
- a school, as defined in the Education Act
- a university
- a college of applied arts and technology, established under Ontario Colleges of Applied Arts and Technology Act, 2002
- a private career college, as defined in the Private Career Colleges Act, 2005
- a private school, as defined in the Education Act, for which a notice of intention to operate has been submitted to the Ministry of Education in accordance with that Act

For the purposes of the Local Occupancy Standards, a recognized educational institution means any of the above or a similar institution outside of Ontario.

See Chapter 5 for information on how to verify educational institutions.

Record
A record is information created or received by a housing provider related to a housing portfolio, including, but not limited to, information related to an applicant, or current and former tenants of the housing provider. This information may be maintained or stored in printed, electronic, or other machine readable format.

Refugee claimant
A refugee claimant is someone who has made a claim to the Government of Canada to be accepted as a Convention refugee.

Regulation
The government issues regulations to set out the operational details of programs created by legislation. The Housing Services Act, 2011, has a number of regulations which detail the requirements of the RGI program.
Chapter 1: Definitions

**Removal order**
A removal order requires a person to leave Canada and is issued when someone is convicted of breaching the Immigration and Refugee Protection Act in Canada.

**Rent**
For non-profits, rent is defined in the *Residential Tenancies Act*. Rent includes the amount paid by a tenant to a landlord for the right to occupy a rental unit and for any associated services, facilities and privileges.

For co-operatives, the term housing charge is used in place of rent and does not include fees for sector support or membership. For co-operatives, the term housing charge is defined under the *Co-operative Corporations Act*.

**RGI rent**
The amount paid by an RGI household to occupy an RGI unit. RGI rent must be calculated according to the requirements of the HSA (see Chapter 6). RGI rent includes any utility charges or allowances, but does not include any other housing provider charges, such as parking.

**Rent supplements**
Rent assistance distributed to tenants through their housing provider. Rent supplement programs are funded differently from RGI and are governed by an agreement between the housing provider and the City. However, calculation and implementation rules are the same as those of the RGI program. Rent supplements are often referred to as "RGI".

**Rent-geared-to-income (RGI) assistance**
Financial assistance given to a housing provider so that a qualified household can pay rent based on their income. Throughout this Manual, rent-geared-to-income assistance is represented by the acronym RGI.

**Residential property**
A property or part of a property that can be lived in year round.

**Review**
An independent assessment of certain decisions made by a housing provider. Members of a household have the right to request a review of some housing provider decisions.
Chapter 1: Definitions

**RGI Administrator**
A person administering the RGI program on behalf of:
- a former provincial housing provider (Housing Services Act, 2011, Section 78)
- Toronto Community Housing Corporation (TCHC)
- Any organization who has signed a rent supplement agreement with the City
- the City, when they administer private landlord rent supplement programs

**RGI Service Agreement**
An agreement between the City and a housing provider delegating the administration of the RGI program to the housing provider.

**Self-employed**
A person is self-employed if they are not an employee, specifically they:
- are both owner and operator of the business
- can suffer financial losses from the business
- have more than one customer or client
- own tools of the trade of the business
- set their own hours and work out of their own space

**Service area**
The geographic area in which a specific service manager is responsible for social housing programs. For the City of Toronto this includes all applicable social housing within Toronto’s municipal boundaries.

**Service manager**
Municipalities and District Social Services Administration Boards are designated under the HSA to manage social housing programs across the province of Ontario. For the City of Toronto the Shelter, Support & Housing Administration division (specifically its General Manager) has been delegated as Service Manager.

**Social housing**
Housing developed under a government housing program listed in the HSA.

**Social Housing Reform Act, 2000 (SHRA)**
The *Social Housing Reform Act, 2000*, was the legislative authority for the municipal funding and administration of social housing programs from 2001 to 2011. On January 1, 2012, the *Housing Services Act, 2011*, replaced the *Social Housing Reform Act, 2000*. 
**Special needs housing**
Housing with special features to make it accessible to a person with physical disabilities (see modified unit above) and/ or housing that includes provincially-funded support services to help a person live independently.

**Special needs unit**
A housing unit with special features to make it accessible to a person with physical disabilities (see modified unit) and/ or a housing unit that includes provincially-funded support services to help a person live independently.

**Special Priority Program (SPP)**
SPP is a designation for households with current or recent experience of domestic abuse or human trafficking that gives them priority access to RGI housing or portable housing benefits. A household may apply for SPP if a member of the household is
- being abused by someone they live with or have recently lived with
- being abused by a person who has sponsored the member as an immigrant
- being or has been trafficked

Eligibility for this priority is determined by Access to Housing. SPP households receive priority for access to RGI housing through the Centralized Waiting List (CWL). An RGI household on the special needs waiting list or the internal transfer list can also apply for SPP.

**Spouse(s)**
If two individuals refer to themselves as “spouses”, consider them as “spouses” for RGI issues. This includes two individuals who live in the same unit if
- the social and familial aspects of the relationship amount to cohabitation; and
- one individual provides financial support to the other; or
- the individuals have a mutual agreement or arrangement regarding their financial affairs.

**Statutory declaration**
A statutory declaration is a signed, written statement that has been witnessed by a person authorized by the court.
Student
A student is a member of the household who
- is in full-time attendance at a recognized educational institution; and
- is a Canadian citizen or permanent resident; and
- has resided in Ontario for 12 consecutive months prior to the end of the month that their classes normally begin; and
- has no spouse or dependent children at the end of the month that their classes normally begin; and
- has not been out of a secondary institution for more than five years as of the start of his or her current study period in the post-secondary institution.

Subsidiary waiting list
The subsidiary waiting list is a component of the Centralized Waiting List (CWL). The CWL is categorized into smaller, or subsidiary, waiting lists by building and unit type.

Support payment
A payment required by
- a court order for support based on the federal Divorce Act or the Ontario Family Law Act; or
- a legal domestic contract such as a separation agreement, a paternity agreement, a marriage contract, or a co-habitation agreement.

Support services
Services for people who need special help to live independently in the community.

Targeting plan
For social housing buildings prescribed under the HSA, targeting plans set out the minimum number of units of RGI households, market households, and special needs units required to be provided within social housing buildings.

Terminal illness priority
A priority designation assigned to applicants on the CWL whose verified life expectancy is two years or less.

Transferred assets
An asset that a person has sold, leased or given to someone who is not a member of the household.

Two-person family
A two-person family consists of either two spouses or a parent and child.
Under-housed
A household is considered under-housed if the unit in which they are living has fewer bedrooms than the household would be eligible for under the City of Toronto's Local Occupancy Standards.

Vacancy management system
The City's internet based IT system that housing providers use to track contacts with applicants and make RGI housing offers.
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The Housing Services Act, 2011

On January 1, 2012, the Province of Ontario revoked the Social Housing Reform Act, 2000 and replaced it with the Housing Services Act, 2011 (HSA). The HSA and its regulations can be found on the Ontario government's e-laws website.

The City of Toronto as Service Manager

Municipalities and district social services administration boards are designated as Service Managers under the HSA to manage social housing programs across the province of Ontario.

Under the HSA, the duties of the service manager include

- managing a centralized waiting list (CWL) for people applying for RGI housing, and
- administering RGI assistance - a subsidy from the City that makes up the difference between the amount that the household pays for the unit and the lower of the indexed or actual market rent for the unit

The City of Toronto is the Service Manager, as defined by the HSA, and must follow the rules set out in the HSA and its Regulations. This means that the City of Toronto administers, funds, and sets Local Rules and guidelines for housing providers in the administration of the RGI program.

The Housing Stability Services (HSS) unit within the City's Shelter, Support and Housing Administration (SSHA) Division ensures housing providers comply with the HSA and its regulations. Housing Consultants within HSS monitor and support a portfolio of housing providers that administer RGI. The Access to Housing team within HSS is responsible for maintaining and managing the Centralized Waiting List (CWL).

City Guidelines and the RGI Administration Manual

The HSA allows service managers to set Local Rules. All Local Rules about the RGI Program are detailed in the RGI Administration Manual.

City Guidelines are available on the City of Toronto’s Social Housing Providers website.

Note: Always refer to the latest version of the online RGI Administration Manual. Do not print the manual.
Chapter 2: Overview of the RGI Social Housing Program

HSA Delegated Responsibilities

The HSA allows the City, as Service Manager, to contract their responsibilities for RGI administration to other organizations. The service manager remains accountable to the Province of Ontario for these responsibilities.

The City has contracted the administration of RGI assistance to most housing providers through an RGI Service Agreement. Toronto Community Housing Corporation (TCHC) administers the RGI program for its tenants under its Operating Agreement with the City of Toronto. Some other private and non-profit housing providers are contracted to carry out this responsibility through a Rent Supplement Agreement with the City.

Under the terms of these agreements, housing providers are required to be in compliance with the requirements of the HSA, its Regulations and the City's Local Rules.

Responsibility for RGI Administration

Housing Providers are responsible to
- maintain internal transfer and market waiting lists
- fill RGI vacancies using CWL
- administer RGI by determining eligibility, verifying income and calculating RGI rent

Households receiving RGI assistance are responsible to
- provide accurate, complete and timely income and asset documentation
- report all relevant matters including changes in household composition, income and assets in a timely manner
- comply with the requirements of the lease

City of Toronto as Service Manager is responsible to
- fund social housing programs
- ensure compliance with the HSA and its Regulations, RGI Service Agreements, Rent Supplement Agreements and Operating Agreements
- set Local Rules and establish guidelines for social housing
- administer the CWL

Ministry of Municipal Affairs and Housing (MMAH) is responsible to
- set legislative framework, establish RGI regulations
- monitor service manager administration of social housing programs
Roles and Responsibilities of Housing Providers

Non-profits, Co-operatives and TCHC

All housing providers who administer the RGI program must comply with the HSA, the RGI Administration Manual and its associated City Guidelines. The City's Local Rules are detailed in the RGI Administration Manual.

The housing provider Board of Directors must ensure that the corporation is at all times in compliance with the RGI Service Agreement or TCHC Operating Agreement and the rules set out in the HSA and its Regulations.

Housing provider staff are responsible for day-to-day RGI administration. RGI Administrators must

- ensure that a household is eligible for RGI housing (see Chapter 3)
- assess the correct size of unit that the household qualifies for (see Chapter 4)
- determine the household’s income and assets (see Chapter 5)
- calculate how much rent the RGI household will pay (see Chapter 6)
- review the household's eligibility for RGI assistance and make RGI decisions (see Chapter 7)
- manage waiting lists, fill vacant units and allocate RGI assistance (see Chapter 8)
- manage the personal information of RGI households and ensure it is appropriately stored (see Chapter 9)
- utilize the Province-Wide Arrears Database (PWAD) to assess social housing arrears and RGI-related convictions (see Chapter 10)

Every RGI Administrator must successfully complete City mandated training in RGI administration and WLM within 6 months of taking on responsibility for RGI program administration. Information on these required courses can be found on the Social Housing Providers website.

Housing provider boards of directors and senior staff must know and understand their corporation's responsibilities under the RGI Service Agreement or TCHC Operating Agreement.
Alternative Housing

Under the HSA, an alternative housing provider is defined as "a housing provider that has a mandate, under section 76 of the Act, to provide housing to households that are homeless or hard to house".

Rather than using the CWL, most alternative housing providers select tenants using their own tenant selection methods, as per their approved access policy.

Rent Supplement Agreements

The HSA regulations for the RGI program also apply to any unit in a building in which households receive RGI assistance under the terms of a Rent Supplement Agreement between the housing provider and the City of Toronto.

Most rent supplement units are filled using the CWL, however some are filled through referral agreements.

Special Needs Housing

Many housing providers have units designated for people with special needs. They offer

- Modified units: units with special features to help people with physical disabilities. A modified unit may or may not be accompanied by support services.
- Support services: services for people who need special help to live independently in the community. To qualify as special needs housing under the HSA, these services must be funded by the province.

Requirements for RGI Leases

All HSA, Part VII housing providers must ensure their leases and related documents comply with the requirements regarding leases.

RGI Lease Requirements

Every housing provider and every household that rents or occupies an RGI unit must enter into a lease.
Chapter 2: Overview of the RGI Social Housing Program

Every RGI lease must

• state that the RGI household may lose eligibility for RGI assistance if they breach any of their RGI program-related obligations
• not exceed one year
• be signed by every individual originally accepted for occupancy
• restrict the occupancy of the unit to the members of the household at the time the household signed the lease and any additional persons the housing provider later agrees to accept for occupancy
• require the household to advise the housing provider of any persons who stop occupying the unit or begin occupying the unit after the lease is signed
• specify that every individual accepted for occupancy is a member of the household for the purpose of determining RGI rent, unless the individual is a caregiver, has resided in the unit for less than 90 days or is under the age of 16
• specify the initial amount of rent that would be payable if the unit were a market unit
• specify the initial amount of rent payable for one month by the RGI household
• specify that the amount of RGI rent payable for the unit is subject to change if the household’s financial circumstances change
• specify all other housing provider charges, as permitted under the HSA the Residential Tenancies Act, 2006
• prohibit the assignment of the lease and prohibit the household from renting or subletting the unit to any person

**Note:** Any household member who has not signed the lease but whose income is considered in the RGI rent calculation does not have full tenancy rights (e.g. child of the household under 16 at time of original lease signing). Housing providers must include a statement in their annual income and asset review materials indicating that contributing to RGI rent does not assign full tenancy rights to the individual unless they have signed the lease.

**Required Housing Provider RGI Policies**

Housing providers are required to have RGI related policies for

• guests (Chapter 3)
• internal transfers (Chapter 8)
• reviews of RGI decisions (Chapter 7)
• medical exemptions (Chapter 4 and 8)
Duty to Accommodate Under the Ontario's Human Rights Code, 1990

RGI Administrators must consider their duty to accommodate under Ontario's Human Rights Code, 1990, when making decisions about RGI eligibility. If the household has difficulty complying with their obligations because of disabilities (as defined in Ontario's Human Rights Code, 1990), there may be a duty to accommodate.

The duty to accommodate may require an RGI Administrator to
- accept alternative documents
- give a household more time to provide documents and delay issuing a decision to remove eligibility for RGI Assistance
- contact the person's alternate contact
- refer the household to a housing help centre for assistance managing its obligations
- reverse a notice that was issued

Providing Information to the Public

The HSA requires that RGI Administrators make the following information publically available
- information about their building(s)
- the procedures for applying for RGI assistance and the required documentation
- the system for allocating RGI assistance
- Provincial and local eligibility criteria
- Provincial priority rules
- Local Rules, including Local Occupancy Standards

This information must be made available for people to copy at their own expense.

Housing providers (staff and board) must ensure that RGI households have been provided adequate information to understand their obligations under the RGI program.

Good Communication

RGI Administrators must provide information to people who live in your building(s), to applicants, and to the public. RGI Administrators must be equipped to communicate clearly with people who
- speak English as a second language
- find reading difficult
- have difficulty seeing or hearing
Chapter 2: Overview of the RGI Social Housing Program

The RGI program rules are complicated and stringent. Housing providers must provide information that will help people understand and follow these rules so that they can get and keep the housing they need.
Chapter 3: RGI Eligibility Criteria

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Basic Eligibility Criteria for RGI

The HSA sets out rules about who is eligible for RGI assistance. To be eligible to apply for RGI assistance or continue to receive RGI assistance, a household must at all times meet all the following conditions:

- At least one member of the household is 16 years of age or older.
- At least one member of the household is able to live independently, with or without support services.
- Every member of the household is
  - a Canadian citizen; or
  - a permanent resident of Canada or has applied for permanent resident status; or
  - a refugee claimant or Convention refugee.
  
  **Note:** a list of acceptable Canadian Status documentation can be found on the Access to Housing website.
- No removal order has become enforceable against any member of a household.
  
  **Note:** Visas allow people to legally stay in Canada for a limited time. A household is not eligible for RGI assistance if it includes a visa holder.
  
  **Exception:** a household is eligible for RGI assistance if Immigration Canada has accepted an application for permanent resident status from the visa holder.
- No member of the household owes arrears (money for rent or damage) from a former tenancy to a social housing provider in Ontario unless
  - a member of the household has signed and is complying with an agreement to pay the money owing; or
  - a member of the household has made reasonable efforts to enter into a repayment agreement; or
  - Access to Housing or a housing provider, decides there are extenuating circumstances.
  
  **Note:** SPP households are only responsible for half of the actual arrears owed related to a unit which the member and the abusing individual were joint tenants.
- No member of the household has had an RGI-related conviction in the last two years.
  
  **Note:** a conviction must result from a prosecution in a court of law.
RGI-Related Convictions - Local Rule

A household is not eligible for RGI assistance if a member or former member of the household has been convicted by a court of

- knowingly obtaining or receiving RGI assistance that they were not entitled to, or
- committing a crime under the Criminal Code (Canada) in relation to the receipt of RGI assistance

A conviction must result from a prosecution in a court of law.

**Note:** the Landlord and Tenant Board may uphold an eviction for misrepresentation of income. However, a decision of the Landlord and Tenant Board that a household misrepresented their income is not a court conviction.

If a person has been convicted of RGI fraud or a crime related to the receipt of RGI assistance, no member of the household can reapply for RGI assistance for two years from the date the offence occurred. Housing providers must keep any RGI-related conviction records up-to-date in their Province-Wide Arrears Database (PWAD) uploads.

**Note:** Screening for RGI convictions in PWAD happens at the same time as screening for social housing arrears.

**Exception:** A household may reapply before the two year limitation if

- the member of the household who was convicted of RGI fraud or a crime related to the receipt of RGI assistance is no longer a part of the household, and
- the housing provider is satisfied that current members of the household
  - did not know that the former member was committing this offence, or
  - could not have prevented it

**Note:** Any person who helps a member of a household get RGI assistance that the household is not eligible for could be charged with an offence. On conviction, they could be fined up to $5,000 or be imprisoned for up to six months, or both.

Other Convictions

Effective September 23, 2019, a housing provider may refuse to offer a unit to a household if a member of the household was previously evicted from a social housing provider building through an order of the Landlord and Tenant Board based on an illegal act (commonly referred to as an “N6”). See Chapter 8 for details.
In order to refuse a household, the housing provider must also have reasonable grounds to believe the household would pose a risk to the safety of one or more other people within the housing provider's portfolio (e.g. other residents, staff).

In addition, this ground of refusal is only available where the past eviction order was based on certain types of serious illegal activity (see below). It applies only if the eviction order was issued within the past five years. It does not apply if the eviction order has been overturned on appeal.

This ground of refusal applies only where there was a previous eviction order based on an illegal act involving one or more of the following
- production, trafficking, or possession for the purpose of trafficking an illegal drug
- illegal production, distribution or sale of cannabis
- physical violence or attempted physical violence against another person
- physical harm, attempted physical harm, or a risk of physical harm to another person
- human trafficking
- use of threats to, intimidation of, and harassment of another person

Other Eligibility Considerations for Applicants and RGI Households

Eligibility for Special Needs Housing

Special needs housing units are
- units with special features to make them accessible to a person with physical disabilities (a modified unit), and/ or
- units that include provincially-funded support services to help a person live independently

To be eligible for special needs units, households must need the specific modifications of that unit and/or need the support care services that are available with the unit. They must remain eligible after they move in.

In many cases eligibility is assessed by the agency providing support care services in the units. Unless you have delegated the vacancy management for your special needs units to Access to Housing, you must maintain a special needs waiting list. Or, special needs units may be handled by a referral agreement with an agency.
Chapter 3: RGI Eligibility Criteria

**Note:** Applicants and residents of special needs units get RGI when they need it, regardless of their date of application, as long as they meet the initial eligibility criteria.

In the City of Toronto, housing providers with special needs units who fill their units through referral agreements are considered special needs housing administrators, and must make available to the public

- procedures for applying for special needs housing, including required documentation, information and forms
- the rules for selecting households, including provincial priority rules
- information on the building(s) where there is special needs housing
- information about the provincial eligibility criteria

All housing providers with special needs units, whether using the Centralized Waiting List (CWL) or filling units through referral agreements, must share the above information with the City, along with a copy of the referral agreement.

**Special Priority as a Victim of Abuse or Human Trafficking**

The Special Priority Program (SPP) is referred to in the HSA as the special priority household category. SPP is for households with current or recent experience of domestic abuse or human trafficking that gives them priority access to RGI housing or portable housing benefits.

A household may apply for SPP if a member of the household is being

- abused by someone they live with or have recently lived with
- abused by a person who has sponsored the member as an immigrant
- or has been trafficked

The abused household member must intend to live permanently apart from the abusing individual.

SPP households go to the top of all RGI waiting lists, including the CWL, special needs waiting lists and internal transfer lists.

Eligibility for SPP is determined by Access to Housing. All applicants requesting SPP, including internal transfers, must submit a Special Priority Application form to Access to Housing; the form can be found on the City's website. Access to Housing is responsible for communicating with applicants regarding their SPP approval status. RGI Administrators may be informed of a household's SPP approval status, but they will not be informed of the reason the SPP designation was, or was not, granted.
Applicants who are not approved for SPP can submit additional information and request a review of the determination of status through Access to Housing.

**Exception:** Alternative housing providers who maintain their own waiting lists do not send SPP applicants to Access to Housing unless the applicant wants to apply to other housing providers.

### SPP Designations and Referral Agreements

If an applicant to a housing provider with a referral agreement also wants to apply to housing providers who accepts applicants from the CWL, they must apply to Access to Housing to get SPP approval.

### SPP Applicants and Internal Transfer Lists

If a member of a current RGI household requests an internal transfer with an SPP designation
- They must apply directly to Access to Housing.
- Once Access to Housing has confirmed their SPP designation, the RGI Administrator must place them on their Internal Transfer List.

SPP households must always receive top priority on the internal transfer list.

### Maintaining an SPP Designation

Once an SPP applicant's status has been approved, they maintain this designation until they are housed.

If an SPP applicant wants to add a new person to the household at any time before they sign a lease, the RGI Administrator must send the household to Access to Housing for another review of their eligibility for an SPP designation.

Housing providers must establish a policy that details the length of time they will wait for the results of an SPP eligibility review before offering the vacant unit to another household. The policy must allow a minimum of three days.

RGI Administrators must email Access to Housing if they have information that
- suggests the applicant may be adding the abuser to the application for RGI assistance
- the abuser is deceased
- the applicant has accepted an offer for RGI housing somewhere else
- the applicant has accepted a Portable Housing Benefit
Some RGI eligibility criteria are more flexible for SPP applicants

- **Divestment of Property** - if the SPP household also requires RGI assistance and owns property, the requirement to sell the property within 180 days of moving in may be waived, or the time period extended if it will put the applicant at risk by trying to meet this requirement. This deferral is determined by the housing provider.

- **Rental arrears** - if the SPP household owes rent arrears or money for damages to a social housing provider where the SPP applicant and the abuser were co-habiting, the SPP applicant is only required to make reasonable efforts to make arrangements to pay off 50% of the debt.

### Losing Special Priority Program Status

Once an SPP designation has been given to an applicant they maintain this designation until they are housed unless Access to Housing confirms that the

- applicant is adding the abuser to the application for RGI assistance
- abuser has died
- applicant has accepted an offer of RGI housing
- applicant has accepted a Portable Housing Benefit administered by the Province of Ontario

In these circumstances, the household can remain on the waiting list for an RGI unit but they will not retain their SPP designation.

If an SPP household is accepted into the Portable Housing Benefit program administered by the Province of Ontario, their application on the CWL will be cancelled.

### Mandates

A mandate is an approved plan for a housing provider to exclusively house a particular population of people.

If a building has been assigned a mandate, households who apply for units in this building must include at least one person who qualifies for the mandate.

All new mandates must be approved by the City and must comply with Ontario's Human Rights Code, 1990. Access to Housing maintains the mandate criteria in their vacancy management system for that housing provider.
Eligibility for Units in Buildings with Mandates

Seniors Mandate
To be eligible for a building with a seniors mandate, a household must include at least one person who is 59 years of age or older.

Access to Housing adds applicants to a subsidiary waiting list for a housing provider with a seniors mandate when at least one person in the household is age 59 or older.

Approved Mandates Other Than Seniors
If a housing provider has a mandate other than seniors, they must post their mandate requirements on their website and in any promotional materials about the building and provide a copy of the mandate requirements to Access to Housing.

Ineligible for Mandate
Access to Housing will not consider the applicant eligible for the mandate and will not add them to the subsidiary waiting list if

- the applicant does not return the Confirmation of Eligibility for Mandate form to Access to Housing; or
- the housing provider determines that the household is not eligible for the mandate.

If a housing provider has a mandate and the RGI Administrator believes a household on their subsidiary waiting list is not eligible for the mandate, the RGI Administrator must inform Access to Housing and they will remove the household from the subsidiary waiting list.

Mandates and Referral Agreements
Some housing providers with mandates use referral agreements to provide access to some or all of their units, rather than using the CWL. Providers using referral agreements must follow their approved access plan to fill their mandate.

When None of the Remaining Members of the RGI Household Qualify for the Mandate
If a household's composition changes and the remaining household members no longer qualify for the mandate, the remaining household members will continue to receive RGI assistance in the current unit, provided that they meet all other eligibility criteria.

However, if the household, which now does not qualify for the mandate, becomes over-housed, they are not eligible to move to another unit size within the mandated buildings
of the housing provider. In that case, the RGI Administrator must ensure that the over-
housed household is added to the CWL.

Applying for a Mandate

All mandates must be approved by the City and must comply with Ontario's *Human
Rights Code, 1990*.

The City will consider requests for a mandate if

- the mandate is intended as a special program under s. 14 of Ontario's *Human
  Rights Code, 1990*
  - to relieve hardship or economic disadvantage; or
  - to assist disadvantaged persons or groups to achieve or attempt to achieve
equal opportunity; or
  - is likely to contribute to the elimination of the infringement of rights under Part
  I of Ontario's *Human Rights Code, 1990*;

- the housing provider already has a seniors mandate and
  - provides additional services or facilities that serve the interest of persons
    identified by a prohibited ground of discrimination (s. 18 of Ontario's *Human
    Rights Code, 1990*); and
  - the housing provider or its parent or related organization owns a long-term
care facility in Toronto, accredited by the Ministry of Long-Term Care

For more information on applying for a mandate, contact your Housing Consultant.

Eligibility Considerations Applying Only to Current RGI
Households

There are other eligibility criteria that apply to households currently receiving RGI
assistance, but not to applicants.

Failure to Obtain Income

If a housing provider believes that a household may be eligible for certain types of
income, the housing provider must give them a written notice that they must try to obtain
this income.
Chapter 3: RGI Eligibility Criteria

The types of income that a member of a household must make reasonable efforts to obtain are

- Ontario Works (OW) assistance
- support payments under the Divorce Act (Canada), the Family Law Act, or the Interjurisdictional Support Orders Act, 2002
- Employment Insurance (EI) benefits
- a pension or supplement under Part I or II of the Old Age Security Act, for example, Old Age Security (OAS), Guaranteed Income Supplement (GIS), and Guaranteed Annual Income System (GAINS); this does not include Canada Pension Plan (CPP) benefits
- support or maintenance from a sponsor under the Immigration and Refugees Protection Act (Canada)

The housing provider’s notice to the household must be in writing and must clearly identify

- the type of income the household may be eligible for
- a reasonable time for the household to inform the housing provider of their efforts to obtain this income
- that they could lose their RGI subsidy, if they refuse to make reasonable efforts to obtain the income

The household may become ineligible for RGI if

- they do not respond to the notice from the housing provider within the time stated in the notice
- the housing provider decides that the household has not made a reasonable effort to obtain this income

The City requires that households be given a minimum of 60 days to inform the housing provider of the results of their pursuit of income.

Note: Tenants seeking support from former spouses can go to the provincial Family Responsibility Office if they are afraid to approach the former spouse directly.

Sources of Income

The following section provides information about eligibility for each of the sources of income. If a person is clearly not eligible for one of these income sources, RGI Administrators must not require tenants to pursue it.
Ontario Works

A household member should be asked to try to obtain income from Ontario Works if the

- household member's income is less than the amount Ontario Works provides for the number of eligible beneficiaries in the household (see Ontario Works Regulation 134/98 sections 41(1) and 42(2)); and

- assets for the household member's benefit unit do not exceed the Ontario Works maximum asset limits (see Ontario Works Regulation 134/98, s. 38(1)); and

- household member is not entitled to income from employment insurance or their entitlement is less than the amount Ontario Works would provide; or

- household member is not entitled to a pension or supplement under the Old Age Security Act (Canada) or their entitlement is less than the amount Ontario Works would provide; or

- household member claims that a sponsorship has broken down and the sponsor is no longer providing support to the household.

A student receiving OSAP may be eligible for OW in some circumstances.

Persons 65 years of age and older may be eligible for OW if they have not lived in Canada long enough to qualify for Old Age Security (have resided in Canada for at least 10 years since the age of 18). OAS entitlement is reduced for persons who have not lived in Canada for at least 40 years. A household member should be asked to try to obtain income if the household member's pension income is less than the amount they would receive from Ontario Works.

**Note:** If a family unit has non-benefit income of which 30 per cent is equivalent to the OW scale amount for that unit, the family should not be asked to obtain income from OW. This is because the receipt of any additional income from OW would not have any effect on RGI rent.

Do not ask the following individuals to try to obtain income from Ontario Works

- dependant child of a parent with whom they live
- dependant child who has a child and whose family receives OW
- household whose income is greater than the OW entitlement for the size of the household

**Support under a Legal Agreement for Support**

The Family Responsibility Office (FRO) receives every support order made by a court in Ontario and enforces the amounts owed under the order. It also enforces private written agreements that include child or spousal support terms. Private written agreements can
include separation agreements, other domestic contracts and paternity agreements. These types of agreements must first be filed with the court according to the procedure in the Family Law Act and the rules of court. An agreement can then be filed with the FRO for enforcement.

If a tenant does have an agreement for support, the tenant must provide documentation of this agreement from the FRO.

If a tenant does not have an agreement for support, refer the tenant to the Family Law Information Centres to find out how they can pursue support. These centres are located within each family court building.

If the tenant wants legal assistance to obtain support they may be entitled to Legal Aid. They can contact the local Legal Aid office to determine if they are eligible. The local office is listed in the white pages of the telephone directory under Legal Aid Ontario.

**Note:** If a benefit unit is receiving OW, then OW has already required them to pursue income. Do not require the benefit unit to pursue income.

**Employment Insurance**

When an individual informs the RGI Administrator that they have lost a job, they should be asked to provide a copy of the Record of Employment as proof that their income has decreased. If the resident has not applied for employment insurance, the RGI Administrator must require the resident to try to obtain employment insurance income.

**Public Benefits for Seniors**

**Note:** RGI Administrators cannot ask households to apply for the Canada Pension Plan or private pensions.

**Old Age Security (OAS)** – OAS is available to qualifying persons at age 65. To qualify for OAS, a person must have been a resident of Canada for at least 10 years, since reaching age 18. OAS entitlement is usually reduced for persons who have not lived in Canada for at least 40 years.

OAS applications can be obtained from Service Canada.

**Guaranteed Income Supplement (GIS)** – To receive the Guaranteed Income Supplement benefit, a person must be receiving OAS. An application must be submitted for the first year. After that, it renews automatically when the recipient files their income tax return.

GIS applications can be obtained from Service Canada.
Guaranteed Annual Income Support “A” (GAINS–A, Ontario) – qualified persons who are receiving GIS automatically receive this supplement. No application is required. Maximum monthly entitlement is $83.

The Government of Ontario publishes a quarterly GAINS Benefit Rate Table. This documents the current Guaranteed Income for seniors in Ontario.

**Sponsorship support**

Sponsorship documents do not specify the amount of support that the sponsor must provide. The household needs to get a letter from the sponsor specifying the monthly amount of support being provided. If 30 per cent of a household’s income is less than the OW shelter allowance for the family size, then the household should be asked to try to obtain either additional sponsorship support or OW.

If the household submits a letter from the sponsor saying that the sponsorship has broken down, then the member is eligible for OW and should be required to apply for OW.

**Canada Pension Plan for the Disabled (CPP-D) and Ontario Disability Support Program (ODSP)**

Individuals who are receiving less CPP-D than the amount that they would receive from ODSP now automatically qualify to receive ODSP. This is not a source of income that a household must try to obtain. However, in this case we recommend that RGI Administrators help RGI households to secure additional income by advising them to apply for ODSP.

**Ownership of Residential Property**

If a household owns a residential property that can be lived in year-round, they must sell (divest) the property or their share in it within six months of moving into an RGI unit. If they do not, they may become ineligible for RGI assistance.

If a household already receiving RGI assistance acquires or inherits a residential property that can be lived in year-round, they must sell (divest) the property or their share in the property within six months. If they do not, they may become ineligible for RGI assistance.
**Chapter 3: RGI Eligibility Criteria**

**Note:** The housing provider can extend the period of time beyond six months if there are reasonable grounds for doing so.

If an SPP household informs the housing provider that taking steps to sell a property would put them at risk from their abuser, the housing provider **must** extend the period of time past six months.

This rule applies to all residential property regardless of its location, including foreign property.

**Household Must Live in RGI Unit**

If a household establishes a leasehold (rental) or freehold (ownership) interest in another housing unit, the household ceases to be eligible for RGI assistance.

**Absence from Unit – Local Rule**

When a household is absent from an RGI unit in excess of the number of days allowed by the City as Service Manager, it ceases to be eligible for RGI.

A household is no longer eligible for RGI assistance if

a. all members of the household have been absent from their unit for more than 90 consecutive days, or

b. all members of the households have been absent from their unit for more than 90 days in total in a 12 month period

**Exceptions to Absence from Unit Rule**

**Short Absence**

Any absence of 7 consecutive days or less will not be counted in condition b. above.

**Medical Condition of a Member of the Household**

If a household has only one member and that member has a medical condition that makes it necessary to temporarily leave the unit, the household will not be considered absent from the unit.

If a household includes one or more members that have a medical condition that makes it necessary to temporarily leave the unit, and as a result other household members are absent because they are accompanying them, the household will not be considered absent from the unit.
Chapter 3: RGI Eligibility Criteria

Note: This exemption applies only if a member of the household has a medical condition. It does not apply when the person with a medical condition is not a member of the household.

Housing Provider Policy on Medical Conditions Required

Housing providers must develop a policy for deciding what is a valid medical reason to be absent from the unit and what supporting documents they will accept. This policy must be applied consistently. An example of a valid medical reason for absence may be a long stay in a hospital, rehabilitation, or treatment facility. However, this must be supported by documentation from a medical professional.

Absences Due to Criminal Charge/Conviction

- If a household has one member, and the member is absent because they are being held in jail while awaiting trial, the household will not be considered absent from the unit.
- If a household has only one member, and a bail condition of release prevents the member from living in the unit, the household is not considered absent from the unit.
- If a household has one member, and the member has been convicted of an offence, the household will be considered absent from the unit for more than 90 days if the jail time to be served is more than 90 days.

Note: Being convicted of a criminal offence does not make someone ineligible for RGI subsidy (unless the conviction is for RGI fraud or misrepresentation). However, someone who is convicted of a crime may serve a sentence that makes them absent from their unit for more than 90 days. In this case the Local Rule – Absence from Unit applies.

Extenuating Circumstances

Housing providers may extend the time a household may be absent from a unit in extenuating circumstances. However, the household must disclose to the housing provider their intention to be absent in advance or as soon as is reasonably possible. This applies if a housing provider has reviewed appropriate documentation from the household and has decided that there is a legitimate reason for an extension.

Housing providers must include the requirement to comply with the Local Rule - Absence from Unit in the Consent and Declaration section of their household Income and Asset Review Form.
Guests Staying in an RGI Unit

Every housing provider must establish a Guest Policy (rules for the temporary accommodation of guests in RGI units) that is in compliance with the HSA.

Housing providers must provide a copy of their Guest Policy in either written or electronic format to
- their housing consultant; and
- all RGI households.

Leases must include a reference to the housing provider's Guest Policy and the requirement to comply with these rules.

**Note:** A guest policy stating there are no guests allowed is not permitted.

Ceasing to Be Eligible for RGI

A household currently receiving RGI assistance ceases to qualify for RGI if the household
- does not continue to meet the basic eligibility criteria detailed earlier in this chapter
- does not provide income and asset information and documents within the required timeframe
- does not report mid-year changes in income or household composition
- has not made reasonable efforts to obtain income to which they are entitled
- is absent from the RGI unit for longer than is permitted (Local Rule)
- has paid RGI rent equal to market rent for twelve months
- is over-housed and
  - cancels their (required) application on the CWL
  - refuses a total of three offers of housing, while on either the internal transfer list or the CWL

**Note:** the household cannot cease to be eligible until one year after they are notified that they are over-housed.

- does not divest any leased or owned residential property (suitable for year-round use) within six months of obtaining RGI housing or within six months of obtaining the property
- fails to maintain their arrears repayment plan in good standing with their former Ontario social housing provider
- is convicted of an RGI-related offence under the Criminal Code (Canada) in relation to the receipt of RGI assistance
- has accepted an offer of a Portable Housing Benefit and begins to receive that benefit
Chapter 3: RGI Eligibility Criteria

Note: When a household living in social housing ceases to qualify for RGI assistance, they can stay in their unit, but they must be charged market rent.

When a household ceases to be eligible for RGI assistance, the RGI administrator must issue a Notice of Decision for Loss of Eligibility (LOE) for RGI Assistance. However, if there are extenuating circumstances, the household may request an appeal through the City's LOE review process.

See Chapter 7 for more information on maintaining or removing eligibility for RGI assistance.

Suspected Fraud

The Criminal Code of Canada defines a person who has committed a fraud as:

"Every person who by deceit, falsehood or other fraudulent means, whether or not it is a false pretense within the meaning of this Act, defrauds the public or any person, whether ascertained or not, of any property, money or valuable security or any service …"

It is commonly accepted that an action is fraudulent only if the person taking the action showed intent to deceive. In the social housing context that means that a household that did not report a change in income because they did not know that this was required did not commit fraud. The household did receive a benefit they were not entitled to, but there was no intent to deceive.

However, if the household has been told in the past about the requirement to report changes in income and does not do so, they have likely shown intent to deceive. In some cases, such as doctoring a pay stub to display a lower income, the intent to deceive to gain a benefit may be more obvious.

The Housing Provider’s Responsibilities Regarding Suspected Fraud

There are many different ways in which RGI fraud can be committed. RGI fraud results in a household receiving an RGI subsidy they are not entitled to or some other RGI-related benefit (such as living in a unit that is bigger than the household is eligible for).
Examples of actions that may be RGI fraud are

- failing to report sources of income
- failing to report changes in household composition
- failing to disclose and dispose of property
- falsifying of documents (including changing identity or dates)
- failing to report that students are no longer attending post-secondary courses
- subletting all or part of a subsidized unit
- concealing an absence from a unit in excess of the allowed time periods

**Note:** An RGI household cannot sublet their unit. All leases must include this requirement. If you discover that a household is subletting their unit, you **must** issue them a Notice of Decision – Loss of Eligibility for RGI Assistance.

There are a number of potential indicators of RGI fraud. RGI Administrators must investigate when the following situations occur

- obviously altered or doctored payroll statements or forms
- large sums of money being transacted through bank accounts
- frequent visits and/or stays at a property away from their unit
- forms or letters that don't clearly indicate who they are referring to or who has issued them
- forms or letters that contain spelling mistakes
- individuals who report that they are unemployed but who are regularly absent from their unit - which may suggest they are working
- expenditures that are not in line with their reported income such as an expensive car or frequent travel
- individuals who are not reported as a member of the household but who are regularly seen coming and going from the unit
- residents that requests more access keys or fobs than the number of people on the Lease
- vehicles that are regularly parked in the visitor’s parking area
- units or rooms are advertised for rent on websites such as AirBnB and Kijiji
- other instances where the RGI Administrator believes fraud or misrepresentation of income and or assets may be occurring

Housing providers must carefully document any suspicions they may have about RGI fraud. Documentation must be kept confidential and should include dates, times and specifically what was seen, read or heard. This review should be as thorough as possible, but no allegations should be made that cannot be verified.
If a housing provider suspects that an RGI household is committing RGI-related fraud, they should immediately report this by using the Documentation of Suspected RGI Fraud Form found under RGI Forms and Tools. This document should then be uploaded to the link provided on the form. This form requires that you include the reasons you suspect fraud and any documentation you have collected to support this suspicion. Please do not send this information by email due to privacy requirements.

The Housing Consultant is required to follow a prescribed protocol to review these forms. If warranted, the Housing Consultant will follow up and provide the housing provider with direction on any further actions required.
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Local Occupancy Standards – Local Rule

Local Occupancy Standards are set by the City of Toronto for the minimum and maximum number of bedrooms an applicant household would qualify for in an RGI unit. These Standards are one of the Local Rules required under the HSA.

Applying for the Right Size of Unit

Households may select all unit sizes they qualify for on the Centralized Waiting List (CWL), but it is recommended that households consider planned changes in family composition, such as additional children, when making their selections.

When Household Size Increases

Households that grow and exceed the Local Occupancy Standards once they have accepted an RGI unit are not automatically entitled to a larger unit. These households can apply for a larger unit on the CWL, but their date will be the new date of application, not the date of their original RGI application, and may result in long waiting times. It is recommended that households be made aware of these limitations when

- they apply for RGI
- they view or accept a unit
- a household’s composition changes
- the household is having its annual income and asset review

Some housing providers have internal transfer lists that include under-housed households, but this is not a requirement. If a housing provider decides to allow and prioritize under-housed internal transfers, this priority cannot come before the SPP and over-housed priority.

Note: The Local Occupancy Standards consider a child to be anyone under the age of 18. This is not the same definition as a child of the household, which is used when calculating RGI. As well, the Local Occupancy Standards allows children of different genders to share a bedroom, if acceptable to the household.
How Many Bedrooms Does a Household Qualify for?

Toronto’s Local Occupancy Standards for RGI households stipulate that

- adult household members who are spouses must share a bedroom; two persons who live together are considered "spouses" if
  - the social and familial aspects of the relationship amount to cohabitation, and
  - one individual provides financial support to the other, or
  - the individuals have a mutual agreement or arrangement regarding their financial affairs
- for adult household members other than spouses, there must be one or two adults per bedroom
- for children under the age of 18
  - if the unit contains three bedrooms or less
    ▪ there may be one or two children per bedroom
  - if the unit contains more than three bedrooms
    ▪ there may be one, two or three children per bedroom
    ▪ the shared bedroom must provide the minimum space required under the City’s Municipal Code Property Standards a single parent may share a bedroom with a child if the applicant wants to share
- bachelor units are normally given to single persons
  - two spouses or a parent and child are eligible for a bachelor unit, if the applicant requests it

Re-housing Households Who Had to Move

Sometimes households must move temporarily, due to

- renovation of a building, or
- redevelopment of a community

When they return, housing providers must re-house these RGI households in accordance with Local Occupancy Standards. In order to re-house households within the available housing stock, housing providers may need to prioritize unit allocations by household size.

Note: housing providers have no obligation to provide units in which every child has their own bedroom.
When Is a Household Eligible for an Additional Bedroom?

A household may be eligible for another bedroom if

1. One of the spouses requires an additional bedroom because of a disability or medical condition and this requirement is documented by a medical professional, subject to the following conditions:
   a. The household must submit the City-approved form(s) and required medical documentation with the request.
   b. If a medical professional has verified that spouses cannot share a bed, the household will not normally qualify for an additional bedroom unless a second bed cannot be accommodated within a shared bedroom.
   c. A household will not qualify for an additional bedroom based on a snoring condition alone.

2. An additional room is required to store equipment that a member of the household needs because of a permanent disability or medical condition, and the equipment is too large to be reasonably accommodated in a unit size for which the household would normally qualify. This is subject to the following conditions:
   a. The household must submit the City-approved form(s) and required medical documentation, detailing the size and type of equipment required, with the request.
   b. Equipment that will not normally qualify a household for an additional bedroom, includes, but is not limited, to the following:
      i. continuous positive airway pressure (CPAP) machines
      ii. air-filtration systems
      iii. vaporizers or humidifiers
      iv. walkers, wheelchairs, or scooters
      v. massage tables
      vi. exercise equipment

3. An additional bedroom is required for an individual who is not a member of the household but who occupies the unit to provide full-time overnight support services to a member of the household.
   a. The household must submit the City-approved form(s) and required medical documentation with the request.

4. A member of the household is pregnant.
   a. The household must submit a letter from the pregnant household member's primary health care provider (certified by the Province of Ontario) confirming the pregnancy.
5. A member of the household has shared custody or access rights with respect to a child who is not a member of the household, and
   a. the household member is either a parent or legal guardian of the child; and
   b. the household member is subject to a Court Order or a domestic contract that is valid under the *Family Law Act* and that is in writing and signed by both parties and witnessed; and
   c. the Court Order or domestic contract states that the household member is required or permitted to provide overnight accommodation for the child, at least 78 nights per year and the bedroom is required to provide adequate accommodation for the child

The requirement for the additional bedroom due to a medical reason must have been approved by Access to Housing at the time of application for RGI, and the reason for the approval must still be valid. If the additional bedroom is granted after the household began receiving RGI, the housing provider who grants the additional bedroom must use the City's approved Medical Request for Additional Bedroom form found under RGI Forms and Tools on the City's [Social Housing Providers website](#) and must follow the strict criteria outlined in the form.

### Students Living Away from Home

A student attending school away from home is a member of the household if the student
- is a child of the household
- is in regular attendance at a recognized educational institution
- lives with the household while not attending school
- depends on the household, in whole or in part, for financial support

### Recognized educational institution

A recognized educational institution is
- a school
- a university
- a college of applied arts and technology
- a private career college
- a private school

For the purposes of the Local Occupancy Standards, a recognized educational institution means any of the above or a similar institution outside of Ontario.

See Chapter 5 for information on how to verify a recognized educational institution.
Over-housed Households – Local Rule

An RGI household immediately becomes over-housed if a household member leaves the unit and the household now has more bedrooms than the City’s Local Occupancy Standards allow.

**Note: Exception - death of household member**
If an RGI household has more bedrooms than allowed under Local Occupancy Standards due to the death of a member of the household, the household is not classified as over-housed until 6 months after the death.

Over-housed households have priority on RGI housing waiting lists. Over-housed households are

- second priority on housing providers’ internal transfer lists, after applicants with an SPP designation
- third priority on the CWL, after applicants with an SPP designation and those with a Terminal Illness priority, if applicable

When a household becomes over-housed, the RGI Administrator must

- Notify the household in writing that they are over-housed.
- If the housing provider has a suitably sized unit in its portfolio, place the household on the internal transfer list.
- If the housing provider does not have a suitably sized unit, place the household on the CWL immediately
- Track all offers of housing and continue communicating with the household throughout the process
- Place a household on the CWL if the household has been over-housed for twelve months and has refused fewer than three offers of suitable housing
- Inform the household that they will continue to receive offers from the internal transfer list while they are on the CWL
- Issue the household a Notice of Decision – Loss of Eligibility for RGI Assistance if the household has refused three or more offers of suitable housing and has been over-housed for 12 months since the household was issued the over-housed Notice of Decision.
Additional Bedroom for Approved Medical Reason

Households who have an additional bedroom for an approved medical reason are not considered over-housed. As discussed in Chapter 3, the requirement for the additional bedroom must have been approved by Access to Housing at the time of application for RGI, and the reason for the approval must still be valid.

If a household already receiving RGI requests an additional bedroom for medical reasons, the eligibility for the additional bedroom is determined by the housing provider. In granting the additional bedroom, the housing provider must have the applicant complete the mandatory Medical Request for Additional Bedroom form found under RGI Forms and Tools and must follow the same strict assessment requirements used by Access to Housing. If you have questions about the assessment requirements, contact your Housing Consultant.

Notifying a Household That They Are Over-housed

If a household is over-housed, the RGI Administrator must send the household a Notice of Decision stating

- the date the household became over-housed
- that the household will lose their RGI assistance if, within one year of receiving notice that they are over-housed, they refuse three offers to move to a suitably sized unit
- that the household has the right to ask for a review of the decision that they are over-housed
- the process the household must follow to request a review

A template Notice of Decision letter that housing providers may use to notify a household that they are over-housed can be found under RGI Forms and Tools. RGI Administrators must document all evidence regarding when and how the household became over-housed.

If the household asks for a review of their over-housed status, the housing provider’s review body carries out an internal review.

Note: If you suspect a household is over-housed, but has not informed you of the change in household composition, you must immediately obtain verification from the household of all people living within the unit.
Over-housed Households on Internal Transfer Lists

If the housing provider has a unit of the size that the over-housed household is eligible for, the RGI Administrator must add the household to their internal transfer list. This is the list of households already living in the RGI Administrator's building(s) that would like to or must move to different units. An RGI household that is over-housed has priority on the internal transfer list unless there is an SPP household on the list.

After one year on the internal transfer list, and fewer than three offers of suitably sized units, the household must be added to the CWL. The RGI administrator must add the household to the CWL no later than thirty days after the household has been on the internal transfer list for one year. However, the RGI Administrator should also continue to maintain the household on their internal transfer list.

To add an over-housed household to the CWL, RGI Administrators must:

- Complete the Over-housed Household Provider Confirmation form.
- Have the household complete a Subsidized Housing Application form; if they refuse the RGI Administrator must complete it for them.
- Submit the household's Subsidized Housing application along with the Over-housed Household Provider Confirmation form to Access to Housing.
- Report all past offers of suitable housing made to the household to Access to Housing.
- Continue to monitor and document offers and communicate with the household.
- Communicate any additional offers, changes in household composition, or changes in household status to Access to Housing.

The Over-housed Household Provider Confirmation form and Subsidized Housing Application form can be found under RGI Forms and Tools on the Social Housing Providers website.

If the housing provider has suitably sized units for the over-housed household, the household can still ask to be placed on the CWL right away. They can ask to be removed from the CWL during the 12 month period after they become over-housed, because their application was voluntary.

Once the household has been over-housed for 12 months, their application to the CWL is no longer voluntary.

If a household has been over-housed for more than 12 months since the date of the over-housed Notice of Decision and has refused three or more offers of suitable housing, whether for internal transfer or for a different housing provider (from the CWL), the RGI Administrator must issue the household a Notice of Decision – Loss of Eligibility for RGI Assistance.
Note: RGI Administrators must carefully document all internal offers in a household’s RGI file, including all communications, the date and the unit offered, and the reason for a refusal or withdrawal.

If the housing provider does not have a unit of the size that the household is eligible for, the household must be placed on the CWL as soon as the RGI Administrator notifies the household that they are over-housed.

Note: the process for filling RGI vacancies is detailed in Chapter 8.

Over-housed Households on the Centralized Waiting List (CWL)

There are three situations when an over-housed household is placed on the CWL

1. If a housing provider’s portfolio does not include units of the size that the household is eligible for, the household must be placed on the CWL immediately.

2. If the housing provider has suitably sized units in their portfolio, over-housed households may choose to go on the CWL. The household may also ask to be removed from the CWL within the first twelve months of being over-housed. RGI Administrators should not remove the household from their internal transfer list.

3. If a household has been over-housed for 12 months, they must be placed on the CWL. If the housing provider has a suitably sized unit in their portfolio, RGI Administrators should not remove the household from their internal transfer list.

All over-housed households that are required to go on the CWL must complete an Access to Housing Subsidized Housing application. If an over-housed household that is required to go on the CWL refuses to complete an Access to Housing Subsidized Housing application form, the RGI Administrator must complete the form on the household’s behalf and submit it unsigned to Access to Housing.

Once a household is placed on the CWL

- Access to Housing keeps track of all refusals.
- For each refusal on the CWL, the household will receive a letter from Access to Housing informing them how many offers remain.
- The housing provider for the over-housed household is not informed of offers on the CWL until the household has received three offers, including any the RGI Administrator has made through their internal transfer list.
- When an over-housed household on the CWL refuses an internal offer, the RGI Administrator must report this refusal to Access to Housing immediately so it can be added to the household’s offer history on the CWL.
- The RGI Administrator must inform Access to Housing if an over-housed household on the CWL accepts an offer and moves into suitable housing, or the household composition changes and they are no longer over-housed, so that the household can be removed from the CWL.
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All over-housed households on the CWL are ranked after applicants with an SPP designation and those who are Terminally Ill, if applicable.

When Access to Housing tells the RGI Administrator that a household has refused three offers

- If it has not been 12 months since the original over-housed Notice of Decision was issued, the RGI Administrator should continue to make offers to the household until they have been over-housed for 12 months since the over-housed Notice was issued or they accept an offer of suitable housing.
- If the household has been over-housed for at least 12 months from the date the over-housed Notice of Decision was issued, the RGI Administrator must issue the household a Notice of Decision – Loss of Eligibility for RGI Assistance.

Requirements for Over-housed Households on the CWL

Over-housed households who must apply to the CWL must choose at least five housing providers. They may also choose their current provider, but this will not be counted as part of the minimum of five needed to maintain RGI eligibility.

If the over-housed household does not choose five housing providers, not including their current provider, at the time of applying to the CWL, then Access to Housing will list the household for the entire zone in which they currently live.

It is possible for households to go into the CWL system and remove a housing provider after their Subsidized Housing application has been processed. When Access to Housing determines that an over-housed household has fewer than the required number of housing providers selected on the CWL, they will notify the housing provider. RGI Administrators are required to follow up with these over-housed households and inform them that they are at risk of losing their eligibility for RGI and must update their CWL selections immediately. The RGI Administrator must issue a Notice of Decision – Loss of Eligibility for RGI Assistance if the household does not alter their housing selections to meet the requirements.

Over-housed households Refusing Offers of Suitable Housing

If a household refuses an offer, RGI Administrators must be sure to clearly document the offer, including dates of the offers, all communications - written or in-person, that the RGI Administrator showed the units and when, and the reason for the refusal. This documentation is required for a Notice of Decision – Loss of Eligibility for RGI Assistance. Inadequate record keeping can result in the RGI Administrator's Decision being overturned should the household request a review.
• Each time an over-housed household refuses an offer from the internal transfer list, send the household a letter letting them know how many offers remain (if known), and that they are at risk of losing their RGI eligibility after three refusals and 12 months.

• In-person communication with over-housed households should also be attempted, especially with the original Notice of Decision and prior to the third and final offer of housing, to ensure over-housed households understand the consequences of a third refusal.

• Over-housed households who refuse three offers, and have been over-housed for at least 12 months from the date the over-housed Notice of Decision was issued, lose their eligibility for RGI assistance. The three offers can be from the internal transfer list, the CWL or both. In this case, the RGI administrator must immediately issue a Notice of Decision – Loss of Eligibility for RGI Assistance.

All unaccepted offers are considered refusals, except when

• the RGI Administrator was unable to speak directly to the household or one of their contacts who states that they will be able to reach the household within the two day requirement

• the unit being offered did not meet the accessibility needs of the household (medical documentation may be required)

• the household no longer qualifies for the size of unit being offered

• the household income is above the RGI threshold

• an over-housed household is offered the same unit twice; the second unaccepted offer is counted as a withdrawal

• a representative of the housing provider fails to greet the household to show the unit

• the housing provider refuses to offer the unit to the household

For these exceptions, the unaccepted offer should be counted as a withdrawal.

**Over-housed Households Losing Eligibility for RGI Assistance**

An RGI Administrator must immediately issue a Notice of Decision – Loss of Eligibility for RGI Assistance if an over-housed household has

• refused three unit offers of the size that they are eligible for, including both internal transfer offers and CWL offers, and

• been over-housed for at least 12 months since the date the over-housed Notice of Decision was issued.
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**Note:** If an RGI Administrator is issuing a Notice of Decision – Loss of Eligibility for RGI Assistance, they must use the approved Notice of Decision form found under RGI Forms and Tools on the Social Housing Providers website, and they must include the Request for Review Form found on the same website.

Over-housed households that are required to be on the CWL will lose their eligibility for RGI if they have been over-housed for at least 12 months since the date the over-housed Notice of Decision was issued, **and**

- have refused three unit offers of the size that they are eligible for, including both internal transfer offers and CWL offers; or
- are listed for less than five housing providers, not including their current provider; or
- ask to be taken off the CWL.

If an over-housed household is no longer eligible for RGI assistance, the RGI Administrator must

- Issue a Notice of Decision that the household is no longer eligible for RGI assistance. The effective date of this notice must be at least 12 months after the date the over-housed Notice of Decision was issued notifying them that they are over-housed (Chapter 7).
- Continue to offer vacant units to the household until the Notice of Decision – Loss of Eligibility for RGI Assistance is effective.
- If the household accepts an offer before the effective date, rescind the Notice of Decision – Loss of Eligibility for RGI Assistance when the household has moved. The RGI Administrator must reinstate the RGI assistance retroactive to the effective date of the Notice of Decision – Loss of Eligibility for RGI Assistance.

**Under-housed Households**

An RGI household is under-housed if their unit has less bedrooms than the City’s Local Occupancy Standards would allow.

Under-housed households are not considered a priority under the HSA. When developing an internal transfer policy, RGI Administrators may not rank under-housed households before SPP and over-housed households. See Chapter 8 for more information about internal transfer policies.
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Administration of Income Verification

Housing providers that have RGI Service Agreements with the City of Toronto are responsible for calculating how much rent an RGI household must pay. This is an annual process where all member of the household who are 16 years of age or older must report their income and assets and provide documents that verify this information.

RGI Administrators must have sufficient documentation to establish a household's income and their assets. The information in this chapter provides standards for RGI Administrators in collecting that documentation.

However, in some situations it won't be clear which verification documents are required and RGI Administrators must use their own judgement to determine what is needed. In these cases, you must keep a record of your rationale for collecting the documentation that you did in the household's RGI file.

RGI Administrators must also consider their duty to accommodate under Ontario's Human Rights Code, 1990, when making decisions about verification documentation. If the household has difficulty complying with their obligations because of disabilities, there may be a duty to accommodate. There may be an alternative to a document that the RGI Administrator has required. Where the duty to accommodate applies, an RGI Administrator must accept the alternative document if a reasonable person would consider it sufficient to confirm a household's income. See Chapter 2 for more information.

What Income Is Included?

Generally, income received by a member of the household is included as income when calculating the RGI rent. However, some sources of income are excluded. A comprehensive list of all the sources of income that are excluded when calculating RGI is provided later in this chapter. If an income source is not on the excluded income list, it must be considered income.

There are five types of income
1. employment
2. assets or investments (interest or dividends)
3. pensions or support agreements
4. social assistance
5. retroactive payments
1. Income from Employment Includes

- salary or wages including holiday pay
- bonuses or incentive pay
- tips or gratuities
- overtime pay
- Employment Insurance (EI) benefits (including parental benefits)
- short-term Workers’ Safety and Insurance Board (WSIB) benefits
- work incentive program payments
- training allowances
- self-employment income
- regular payments for sick leave or short-term disability under a private or workplace insurance plan
- strike pay

2. Income from Assets or Investments

There are two types of assets

- income-producing
- non-income producing

An asset itself is not considered income. However, the income produced by an asset, or the imputed income on a non-income producing asset, is included in the household income.

**Note:** For some types of assets, the income earned on the asset is also excluded. See "Excluded Assets" under "What Income Is Excluded?"

**Income-producing assets** produce income such as interest or dividends. The income from these assets is included in the total household income for the RGI calculation. These include

- interest-bearing bank or credit union accounts
- term deposits, guaranteed income certificates (GICs), treasury bills, bonds, or debentures
- tax-free savings accounts (TFSAs)
- annuities (life, fixed-term) and Registered Retirement Income Fund (RRIF) withdrawals
- stocks, shares, or mutual funds
- mortgages and loans for which the individual receives payment
Non-income-producing assets are investments or holdings which are intended to increase in value rather than produce income. These include

- non-income producing equity or share in a business
- life insurance with cash surrender value
- non-income producing stocks, shares or mutual funds
- any property suitable for year-round occupancy until it is sold (see Ownership of Residential Property in Chapter 3)
- any residential property not suitable for year-round occupancy
- land holdings or non-residential property
- non-income-producing assets transferred or given to someone outside of the household, less than 36 months before the household starts receiving RGI assistance or any time after the household starts receiving RGI assistance
- life interest in real estate

**Note:** Personal belongings such as jewellery, family heirlooms, or old family furniture, and possessions that do not normally increase in value (for example, a family automobile) are excluded from assets for RGI purposes.

### 3. Income from Pensions or Support Agreements

- Canada Pension Plan for the Disabled (CPP-D)
- public pensions and related benefits (OAS, CPP or Québec Pension Plan (QPP), GIS, GAINS)
- private pensions, benefits, or annuities, including RRIF withdrawals
- private or public pensions, benefits or annuities received from any other country
- long-term disability payments from a private insurance company or WSIB
- child support payments
- spousal support payments

**Note:** Support payments may be

- payments required by the federal Divorce Act or the Ontario Family Law Act
- payments required by legally-recognized separation agreements, paternity agreements, marriage contracts, or cohabitation agreements; agreements signed by both parents are acceptable
- small gifts (less than $100) received on a regular basis (monthly, quarterly, etc.) are support payments;

Include these in household income and assets for RGI purposes.
4. Income from Social Assistance

- Ontario Works (OW)
- Ontario Disability Support Program (ODSP)

5. Retroactive Lump Sum Payments

Income received retroactively is often a lump sum payment. Retroactive payments that must be included in the RGI calculation are from

- Employment Insurance
- Canada Pension Plan
- Old Age Security / Guaranteed Income Supplement
- Child or spousal support
- Workplace Safety Insurance Board (WSIB)
- Other public or private benefits

What Income Is Excluded?

There are many sources of income and other payments which are not included as income when calculating RGI rent.

Excluded income for RGI rent calculation falls under the following categories

A. government program payments
B. employment-related payments
C. financial holdings
D. income from disposal/withdrawal of financial holdings
E. gifts
F. interest
G. education or training
H. foster children / crown wards
I. home care allowances
J. veterans and victims of war
K. aboriginal / indigenous people
L. compensation
Not all income in these categories is excluded in calculating RGI rent. However, the following sources must be excluded.

A. Excluded Government Program Payments

- a payment, refund, or credit from the provincial or federal government
  - income tax refunds
  - Canada Child Tax Benefits, Universal Child Care Benefit, Working Income Tax Benefit, Ontario Child Benefit and Ontario Child Care Supplement for Working Families
  - the Community Homelessness Prevention Initiative from the Ministry of Municipal Affairs and Housing
  - property or sales tax credits
- tax grants for people 65 years of age or older
- a child benefit received from the Canada Pension Plan
- a death benefit received from Canada Pension Plan (one-time payment only)
- a special allowance for resettlement assistance

B. Excluded Employment-Related Payments

- a lump sum severance payment
- a business expense deduction from self-employed earnings that is allowed by Canada Revenue Agency and the HSA
- an allowance or payment for childcare, transportation, tuition, or other expenses for a person enrolled in a job training or employment-related program
- an allowance for travelling expenses related to employment
- an allowance for room and board expenses if a person is employed away from home
- a payment from the federal Opportunities Fund for People with Disabilities program if this payment is used to cover the costs of employment-related activities
- a payment received under the Workers' Compensation Act, subsection 147 (14) as it read on December 31, 1997
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C. Excluded Financial Holdings

- Registered Retirement Savings Plan (RRSP), Registered Education Savings Plan (RESP) and Registered Disability Savings Plan (RDSP), including the interest generated within these plans
- a lump sum payment received as the result of a decision by a court or tribunal
- a lump sum insurance payment
- money received on the death or injury of a household member as damages or compensation for
  - pain and suffering
  - reasonable expenses
- an inheritance
- lottery winnings
- a loan to the individual

D. Excluded Income from Disposal/Withdrawal of Financial Holdings

- a capital gain
- the proceeds from the sale of personal assets such as furniture, equipment, or an automobile
- the proceeds from the sale of real estate
- payments from an RDSP for a member of a family unit
- interest, dividends or other income received from or accrued within an RRSP or RDSP for a "child of the household"
- lump sum withdrawals from an RRSP, prior to converting to a Registered Retirement Income Fund (RRIF)

E. Excluded Gifts

- a casual gift or casual payment of small value (gifts received on a regular basis, such as monthly or quarterly, are not excluded)
- a donation from a religious, charitable, or benevolent organization

F. Excluded Interest Income

- interest accrued on a prepaid funeral plan
- interest, income, or dividends earned on a RRSP, RESP or RDSP
G. Excluded Education or Training Income

- income received by a full-time student at a recognized primary, secondary or post-secondary institution, if the student
  - is a child of a member of the household, and
  - has always lived with the household with the exception of short periods while in full-time attendance at a recognized educational institution, and
  - does not have a spouse, and
  - does not have children who are dependants, and
  - has not been out of secondary school for more than five years at the start of the current period of study
- all awards or grants from the Ministry of Training, Colleges and Universities for a student (any age) at a post-secondary institution; including loans or grants from
  - the Second Career Program
  - the Ontario Student Assistance Program (OSAP), and
  - amounts received through OSAP from the Canada Student Assistance Program
- a scholarship, fellowship or bursary received by a student for studies at a university, college or private career college in or outside Ontario
- a grant under the federal Employment Insurance Act, used to pay for a training course approved under the Ontario Works Act and payable to a person receiving social assistance
- a Canada Education Savings Grant if it is paid into a Registered Education Savings Plan for a child of a member of a family unit
- a bursary for a full-time secondary school student

Required Documents for Verifying Student Status

Do not ask a child of the household who qualifies to have their student income excluded to provide income documents if they have provided documents to confirm their status as a full-time student.

To document full-time school attendance, the student must provide

For secondary school
- a letter from the principal or registrar, or
- a certified timetable
For post-secondary institutions
- a document from a funding agency that outlines the name of the educational institution and the number of courses the student is taking, or
- a confirmation of enrolment prepared by an educational institution, or
- a receipt from the educational institution showing the tuition fees paid

**Full-time Attendance**

Full-time attendance means taking at least 60% of a full course load. For a student with a permanent disability, full-time attendance means taking 40% of a full course load.

**Recognized Educational Institution**

A recognized educational institution is any of the following
- a school as defined in the Education Act (verify using school finder)
- a university (verify using OSAP tool)
- a college of applied arts and technology established under the Ontario Colleges of Applied Arts and Technology Act, 2002 (verify using Ministry of Colleges and Universities website)
- a private career college, as defined in the Private Career Colleges Act, 2005 (verify using Private Career College Search Service)
- a private school as defined in the Education Act (verify using Ministry of Education's website - applies to Ontario schools only)
- online and in-person high school credit courses (verify using ILC website)
- home schooling for students aged 16 years or older (verify using an annual letter of approval from the local school board)

For the purposes of the Local Occupancy Standards, a recognized educational institution means any of the above or a similar institution outside of Ontario.

**H. Excluded Income for Foster Children / Crown Wards**

- payment from a Children’s Aid Society for a child in care
- temporary care assistance for a child from Ontario Works
- income earned or received by a foster child who is living with the household
- extended care and maintenance allowances from a Children’s Aid Society; these are administered through Continued Care and Support for Youth agreements
I. Excluded Home Care Allowances

- allowance for services and supports provided under the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008
- payment received under the Ontario Disability Support Program Act to provide assistance for children with severe disabilities
- subsidies for adoptive parents provided under the Child and Family Services Act, s.175(f)
- payments from a trust or life insurance policy or gifts or voluntary payments made on behalf of a disabled person, that will not be reimbursed, including
  - education or training expenses incurred because of the household member’s disability
  - expenses for items or services needed because of the household member’s disability

Note: RGI Administrators may request that a household complete a Payments or Gifts for Medical Expenses Form to verify that the expense is related to a disability and will not be reimbursed.

J. Excluded Income for Veterans and Victims of War

- a periodic or lump sum war reparation payment
- a benefit from Veterans Affairs Canada under the Veterans Independence Program or a special allowance under the Veterans Disability Pension Program

K. Excluded Income for Aboriginal / Indigenous People

- a payment received from the federal government or a band for board and lodging of a student attending secondary school off the reserve
- a payment received from a treaty between a band and the government of Canada, other than funds for post-secondary education
- a payment from a band as an incentive to keep a child of a household in school
- a payment under Order in Council P.C. 1977-2496 made under section 40 of the Indian Act (Canada)
- a payment received as a result of a claim that relates to an aboriginal residential school
L. Excluded Compensation Payments

- a payment from the federal Extraordinary Assistance Plan
- a payment received under the Ministry of Community and Social Services Act
- a payment from any of the following agreements made with the Ontario government
  - Helpline Reconciliation Model Agreement
  - Multi-Provincial/Territorial Assistance Program Agreement
  - the Grandview Agreement
- a payment from the Walkerton Compensation Plan
- a payment from the Government of Alberta as compensation for sterilization
- a lump sum payment from the 1986 – 1990 Hepatitis C Settlement Agreement (a federal agreement)
- a payment from the Ontario Hepatitis C Assistance Plan

Verifying Income and Assets

Each person in the household who is 16 years of age or older must provide information annually on their income and assets.

An Income and Asset Review Form must be distributed to all households receiving RGI assistance prior to their annual income and asset review. Households should complete the form and submit it to the RGI Administrator along with all the documents required to verify their income and assets.

**Note:** The RGI Forms and Tools section of the Social Housing Providers website contains a sample Income and Asset Review Form. If you do not use the City’s Income and Asset Review Form, you must ensure that the form you use includes all the information in the City’s form, including the content from the City’s Consent and Declaration form.

In general, households must provide information and documentation for the current year. RGI rent is based on their current income.
RGI Administrators can use documentation from the previous year if a household's only income is a fixed pension and/or long term disability income, such as
- Old Age Security
- Guaranteed Income Supplement
- Canada Pension Plan
- Canada Pension Plan for the Disabled
- Worker's Safety and Insurance Board long term compensation
- Private pensions
- Private long term disability

For income from these sources, use Line 150 from the Canada Revenue Agency Notice of Assessment.

**Note:** Each year, households with income from non-income producing assets must submit documents to verify the value of the assets.

1. **Required Documents for Verifying Income from Employment**

   **Income from Regular Employment**

   - Consecutive or year-to-date pay stubs covering a minimum of 8 weeks. Paystubs must include the employer's name and address and indicate the pay periods included; or
   - A letter from an employer stating the gross annual income including any overtime pay or bonuses. This letter must be on company letterhead, recently dated, and contain the telephone number, name and signature of the letter writer. Use a letter from an employer only if pay stubs are not available.
   - For individuals receiving tips or gratuities, a statutory declaration stating the amount received during the period.

   **Fluctuating Employment Income (contract, short-term, intermittent)**

   - For the first year of fluctuating employment income, current income documents such as payroll stubs or a record of EI benefits and pay stubs (if receiving employment income and EI). Use a letter from an employer only if pay stubs are not available.
   - After the first year of fluctuating income, Notice of Assessment from Canada Revenue Agency.
Income from Self-employment

Self-employment includes
- freelance workers/independent contractors – individuals who are not employees
  o they are sometimes represented by a company or an agency that sells their labour; others are completely independent
- sole proprietors of a business
- a partner in a business

If an individual has been self-employed for less than one year
- Ask them to provide a financial statement every 3 months. This statement does not have to be audited.
- After the first year of business, you will need different documents depending on whether or not the business is incorporated. Most self-employed individuals will not incorporate their business; however, some may.

For a business that is not incorporated, ask them to provide a working copy of their Canada Revenue Agency personal income tax return, including the Statement of Business or Professional Activities and a Notice of Assessment (available from Canada Revenue Agency). If the income is not the same on both documents, seek further information.

For an incorporated business, the household member must provide
- a T4 and T5, if any, for employment income and/or dividend income received from the business; or
- a copy of the household member’s Canada Revenue Agency personal income tax return and Notice of Assessment. If the individual’s income is not the same on both documents, seek further information.

Business Licenses

As part of income reviews, RGI Administrators must ask RGI households if any of the household members has a current business licence. If so, they must provide business income documents for the previous 12 months.

- Business license holders are listed in the Business Licence Lookup on the City of Toronto website.
- Note that personal licences (licences without a place of business or business vehicle) are not included in the Business Licence Lookup.
Employment Insurance (EI)

- a copy of a benefit statement showing the gross weekly amount

Strike pay

- a cheque stub, or
- a letter from the union

2. Documents for Verifying Income from Assets or Investments

Interest-bearing bank or credit union accounts

- a current passbook or a monthly bank statement (showing the account number, the name and address of the bank or credit union, the total interest earned in the past year or the average monthly interest earned in the past year); or
- T3 or T5 slips issued by a bank or credit union for tax purposes; or
- a letter from a bank or credit union describing the amount of interest earned in the past year

Term deposits, GICs, treasury bills, bonds or debentures

- a letter from a bank or credit union; or
- documents or certificates from a bank or credit union which give the following details
  - the principal amount of investment
  - the interest rate
  - the amount of interest earned
  - the date of issue and the term
  - the identifying serial number

  OR

- T3 or T5 slips issued for tax purposes

Stocks, shares or mutual funds

- cheque stubs or copies of cheques; or
- T3 or T5 slips issued for tax purposes; or
- mutual fund company statements with value of investment
Chapter 5: What Is Income and How to Verify It

Payments from mortgages or loans

- an amortization or loan payment schedule showing the principal and interest of each payment

Registered Retirement Income Funds (RRIFs)

All withdrawals from a RRIF are counted as part of a household member's income.
- current statement from the RRIF fund holder (bank or investment firm) showing the amount of annual withdrawals; or
- the T4RIF from the prior year's income tax return

Non-income-producing assets

RGI Administrators must establish the value of non-income-producing assets with each annual review. Non-income producing assets do not produce regular income or interest but do increase in value. If an appraisal establishes the value, the household must get a new appraisal every few years.

Note: RRSPs, RESP and RDSPs and prepaid funeral plans are excluded from non-income-producing assets. Any income earned on an RRSP, RESP, RDSP or a prepaid funeral plan is not considered income under the HSA.

Non-interest-bearing bank or credit union accounts

- a copy of bank statements or other documents giving details of the account for the last 2 months

Non-income-producing equity stake or share in business

- a financial statement or letter from an accountant, showing the value of the equity stake or share at the beginning and end of the reporting period

Taxi plate or licence

A standard taxi licence has substantial value and is an asset. Households must provide an appraisal prepared by a Chartered Business Valuator.

An ambassador taxi licence is not considered to be an asset. Households do not need to provide information about its value.
Chapter 5: What Is Income and How to Verify It

Life insurance with a cash surrender value

- a letter or account statement from the insurance company indicating the policy number and the current cash surrender value

Non-income producing stocks, shares, bonds, or mutual funds

- a letter or bank statement from a bank or credit union giving the current value, or
- a document from a brokerage company or financial institution, giving the current value

Residential property suitable for year-round occupancy

- a written appraisal of the property done by a qualified appraiser

Residential property not suitable for year-round occupancy

- a written appraisal of the property done by a qualified appraiser, who is recognized by a professional association such as The Appraisal Institute of Canada, Ontario

Note: The household is responsible for the cost of a property appraisal.

Non-residential property such as land

- a written appraisal of the property done by a qualified appraiser, who is recognized by a professional association such as The Appraisal Institute of Canada, Ontario

Transferred Assets

If the transferred asset was real estate, then the individual needs to provide a written appraisal of the property from a qualified appraiser.

If the transferred asset was a financial holding, the individual needs to provide

- a letter from a bank or credit union; or
- documents or certificates from a bank or credit union; or
- a letter from an accountant

Life interest in real estate

- a written appraisal of the value of the life interest which reflects the individual’s ability to sell or rent the real estate
3. Documents for Verifying Income from Pensions or Support Agreements

**Pension, long-term disability, or annuity income**

- a copy of a current cheque stub which shows the gross amount of income and how often it is paid; or
- a slip issued for income tax purposes showing the annual amount of the pension, disability or annuity income; or
- a letter from the pension manager stating the amount of the payment; or
- Canada Revenue Agency Notice of Assessment - Line 150 (use for households with fixed pension and/or long-term disability income)

**Receiving child or spousal support payments**

- a copy of the support agreement or court order; and
- a letter from a lawyer or the Family Responsibility Office; or
- a statutory declaration stating how much the person receives and how often they receive it

**Paying child or spousal support payments**

- a copy of the support agreement or court order; and
- copies of cancelled cheques (showing support paid)

4. Documents for Verifying Income from Social Assistance (OW/ODSP)

**Ontario Works (OW) or Ontario Disability Support Program (ODSP) payments**

- an OW or ODSP Statement of Assistance which has the names of all family members included in this benefit

Do not request other information from households receiving social assistance unless the Statement of Assistance shows there is another source of income. Households with other sources of income must also provide documentation to verify this non-benefit income.

5. Documents for Verifying Retroactive Lump Sum Payments

Documentation requirements will depend on what source the retroactive lump sum payment is received from, but should align with one of the previous four income sources
and their respective documentation requirements. The documentation should specify the total amount of the payment and for which dates the retroactive payment applies.
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Determining Gross Monthly Income

To determine the RGI rent for a household, you must first calculate the gross monthly income of each individual in the household who is 16 years of age or older. Excluded income is not counted in gross income.

When performing RGI calculations, calculate to two decimal places and round the RGI rent, excluding utilities, to a whole number before the utility adjustments and any extra charges.

1. Determining Income from Employment

Regular Employment Income

Remember, you must base your RGI calculation on gross monthly income. Gross income is an employee’s income before deductions for income tax, EI payments, CPP payments, union dues, etc. To find an employee’s gross monthly income, assess the frequency at which the person is paid and convert the amount to monthly income.

Employees are usually paid
- at the middle and the end of each month (semi-monthly), or
- every 2 weeks (bi-weekly)

Semi-monthly pay is received 24 times a year. Bi-weekly pay is received 26 times a year.

Use the following table to convert income to a gross monthly amount.

Table 1: Converting Income to Monthly Amount

<table>
<thead>
<tr>
<th>Income Frequency</th>
<th>Calculation Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual</td>
<td>Divide by 12</td>
</tr>
<tr>
<td>Semi-monthly (twice a month)</td>
<td>Multiply by 2</td>
</tr>
<tr>
<td>Bi-weekly (every 2 weeks)</td>
<td>Divide by 2 and multiply by 4.333</td>
</tr>
<tr>
<td>Weekly</td>
<td>Multiply by 4.333</td>
</tr>
<tr>
<td>Daily</td>
<td>Multiply by 21.66</td>
</tr>
</tbody>
</table>
Tips, Gratuities, or Commissions

Income includes any money that an individual receives from tips, gratuities and commissions.

Fluctuating (Irregular) Income

For the first year of fluctuating income, calculate the household's RGI rent at the end of every three month period based on their income for the previous three months.

After the first year, calculate the household's RGI rent based on the income stated in the Notice of Assessment from their Canada Revenue Agency personal income tax return. If there is income from self-employment, the household must also provide the Statement of Business or Professional Activities.

Example: A single mother starts a job as a home care worker on an on-call basis. Ask her to submit income documents every three months. Base her RGI rent for the next three months on the income from the past three months. After the first year, calculate her RGI rent based on her previous year's income. Since this is self-employment income, use the working copy of the prior year's income tax return, including the Statement of Business or Professional Activities and the Notice of Assessment.

If a household member's income fluctuates in an identical or similar pattern each year, calculate their RGI rent using the annual income of the prior year shown on the Notice of Assessment from Canada Revenue Agency. Examples include individuals who are regularly laid off and rehired in the same type of employment with the same or a different employer, such as landscapers, crossing guards and contract teachers.

Mid-Year Changes in Fluctuating Income

Households may provide new income documents and RGI Administrators may recalculate RGI rent between annual reviews if

- there is a significant and ongoing decrease in the amount or type of fluctuating income received by a household member, and
- based on current year-to-date income, the decrease in fluctuating income would result in a significant reduction from the prior year's 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. See "Error in RGI Calculation" in the RGI Administration Manual, Chapter 6.
Example: A teacher’s assistant is employed on contract. Contracts may be very short-term or may extend 10 months through the school year. During the summer, he receives Employment Insurance.

In the first year, the housing provider calculated his RGI rent every three months based on income for the previous three months. After the first year, the housing provider calculated his RGI rent using the annual income of the prior year shown on the Notice of Assessment from Canada Revenue Agency.

In September of this year, he received a short term contract ending in October. On October 31, he asks for his RGI rent to be recalculated.

The housing provider determines that, based on his year-to-date income, his income for the current year will not be significantly lower than it was the previous year. So the housing provider decides not to adjust the RGI rent.

Self-employment Income

If a household member has been self-employed for less than a year, ask for statements of revenue and expenses every three months. These statements do not have to be audited. You will have to calculate RGI every three months based on the earnings of the past three months.

If the household member has been self-employed for more than a year but the business is not incorporated, determine the net business income from the working copy of the income tax return, including the Statement of Business or Professional Activities and the Notice of Assessment.

If Canada Revenue Agency has allowed the following deductions, you must add them back to the net income of the business. These are

- depreciation of capital assets
- rent for their RGI unit
- child care expenses

Divide the net business income by 12 to determine the gross monthly income.

Note: Negative income from self-employment must be counted as zero income.

After the first year of self-employment, base the household’s RGI rent on the average income of the prior year. Adjust the RGI rent retroactively if the Statement of Business and Professional Activities and the Notice of Assessment did not reflect the actual income of the prior year.
Employment Insurance Benefits
Benefits are paid bi-weekly but stated in weekly amounts. Multiply the benefit by 4.333 to determine the gross monthly benefit amount.

Income from a Child of the Household
Children who are 16 years of age or older who are not full-time students must report their income. If a child earns more than $75 a month and does not qualify as a student, you must do a separate calculation to determine the child’s income.

There is no age limit. For example, you would treat the income of a 30-year-old daughter who has always lived at home in this way as long as she has always been single and doesn’t have any children living with her.

2. Determining Income from Assets or Investments

Income-producing Assets
(interest bearing bank accounts, credit union and trust company accounts, term deposits, bonds or debentures, GICs)

Take any income earned and add it to the individual’s gross monthly income. For example, if an individual has a Guaranteed Income Certificate (GIC) which produced $90 of interest in the past year, divide the amount of the interest earned by 12 and add $7.50 to the gross monthly income.

- $90 ÷ 12 = $7.50

Non-income-Producing Assets
(non-interest bearing bank accounts and non-residential real estate)

Use the imputed rate of return to estimate the financial benefit to an individual from the non-income producing asset. Add this amount to the individual’s monthly income.

Note: The imputed rate of return is the interest rate for the first year of the November 1st issue of Canada Savings Bonds, rounded down to the nearest whole per cent. The current imputed rate of return is 0.0%.

Ignore the first $5,000 of each family member's total assets in non-interest bearing bank accounts when you calculate the RGI assistance. If the average minimum monthly balance in a family member's non-interest bearing bank account is $5,000 or less, do not include the asset.
Chapter 6: Calculating Rent for an RGI Household

For example, an individual has a non-interest bearing bank account with a minimum monthly value of $8,000. Subtract the first $5,000. If the imputed rate of return were three per cent, the imputed annual amount would be $90. Divide this amount by 12. Add $7.50 to the household’s gross monthly income.

- $8,000 - $5,000 = $3,000
- $3,000 x 3% = $90
- $90 ÷ 12 = $7.50

If two family members each have non-interest bearing bank accounts with $5,000 as the minimum monthly balance, each family member would be entitled to the $5,000 exemption. In this case, you would count the asset as $0 for both family members.

If an individual has two non-interest bearing bank accounts, he or she is eligible for a $5,000 exemption on his or her total assets in the non-interest bearing accounts. If he or she has two non-interest bearing accounts, one with a balance of $6,000 and one with a balance of $7,000 for a total of $13,000, exempt the first $5,000 of the total, and count the asset as $8,000.

**Note:** If two or more family members have a joint account, the balance should be assigned to one family member only so that the deduction is applied only once.

**Transferred Assets**

In the three years (36 months) before receiving RGI assistance, an individual may have sold, leased or given an asset to someone who is not a member of the household. In that case, include imputed income from the transferred asset in household income.

**Exception:** Do not include the asset if the asset was
- transferred in good faith; and
- not transferred to avoid including income from the asset in the RGI calculation.

If the household transferred an asset after beginning to receive RGI assistance, include the asset when you determine the individual’s income. Treat it as a non-income producing asset.

Base the imputed income on the total value of the asset at the time of the transfer.

If an asset was transferred in order to reduce RGI rent, then the value of the asset at the point of transfer is included in non-income-producing assets.
Include this asset value as long as the household continues to receive RGI assistance. For assets that were partially depreciated before 2007 (under the previous policy, the value of the transferred asset declined each year), use the last depreciated value.

Be sure to document your decisions about transferred assets in the household’s RGI file.

**Note:** RGI Administrators must use judgement in deciding if a household member transferred an asset in good or bad faith. If transferred in bad faith, include the imputed income in household income.

**Example 1:** A couple gave a cottage valued at $100,000 to their daughter. A month later, the husband died unexpectedly. His widow applied for RGI assistance because her income declined after her husband's death. It appears that this asset was transferred in good faith and not to reduce income.

**Example 2:** A woman moved into social housing and then gave her daughter a cottage valued at $100,000. She did this so she wouldn’t have to pay RGI rent on the imputed income based on the value of the property. This asset was transferred to avoid paying RGI rent, so include imputed interest on the value of the cottage at the date of transfer.

**Residential Property Suitable for Year-round Occupancy**

In most cases, any residential property suitable for year-round occupancy must be sold within six months of the household receiving RGI assistance. Until the property is sold, it is considered a non-income producing asset.

**Life Insurance**

Include the cash surrender value (if any) of a life insurance policy. Include any dividend income from the insurance. If the person has borrowed against the insurance, reduce the value of the asset by the amount borrowed.

**Mortgages**

Include only the interest portion of mortgage or loan payments in determining income for an RGI calculation. Do not include repayments of principal.

If the interest rate of the mortgage or loan is below the imputed rate of return, use the imputed rate of return to determine the income. See non-income producing assets below.
Taxi plate or Licence

The net income earned from driving a taxi and/or renting the taxi (the amount the owner charges to the other drivers), and/or renting the use of a taxi licence (only standard licences may be rented) is included in household income.

If the imputed rate on a standard taxi licence is greater than the net income earned from driving or renting the taxi, the income for RGI purposes is the imputed rate of return. In that case, the net income earned from driving or renting the taxi is excluded.

3. Determining Income from Pensions and Agreements for Support

Pensions, Child or Spousal Support, Long-term Disability Payments

If a member of the household receives child or spousal support, you must add it to their monthly income.

If a member of the household pays child or spousal support, you must subtract it from their income.

4. Determining Income from Social Assistance

Ontario Works, Ontario Disability Support Program

If a household member receives income primarily from OW or ODSP, you determine the RGI rent using the tables in Chapter 6.

An individual who receives OW or ODSP may also have income from employment, assets, or pensions or support payments. This is called non-benefit income.

See "Steps for Calculating RGI Rent" in Chapter 6 for more information about determining RGI rent for social assistance recipients.

5. Determining Income from Retroactive Lump Sum Payments

When calculating RGI rent on retroactive lump sum payments, always apply income to the month in which the household should have received it. An increase in RGI rent because of a retroactive lump sum payment would take effect on the later of the following dates

- first day of the second month after the effective date of the new income, or
- the move-in date
Chapter 6: Calculating Rent for an RGI Household

Example:

An RGI household received a GIS lump sum benefit in July of 2019 for the period of December 2016 - August 2017. The amount they received was $5,281.47.

The lump sum covers a nine month period.

- $5,281.47 / 9 (months) = $586.83 in additional income per month
- $586.83 x 0.3 = $176 (rounded down) per month in additional rent owed

The rent increase is effective on the first day of the second month after the increase in income takes place, therefore the household pays 7 months at the higher rent. From February 2017 – August 2017 the household paid $200 per month in RGI rent.

- $200 (RGI rent paid) + $176 (additional RGI rent owed due to lump sum) = $376 (RGI rent)

The household’s RGI rent during the time the lump sum applies should have been $376. This amount is well below market rent, and therefore the increase would have no impact on their RGI eligibility.

- $176 x 7 (months) = $1,232 owing

The household owes $1,232 in RGI rent due to the lump sum payment.

When an overpayment (e.g. retroactive lump sum payment) results in a re-calculation of the RGI rent, the RGI Administrator must give the required notice to the household, including information on how to request a review. If retroactive payment of the new RGI rent would cause financial hardship for the household, housing providers are encouraged to work with the household to negotiate a repayment plan to collect the amount owing.

Retroactive lump sums payments excluded as income for RGI calculations include

- a lump sum insurance payment
- severance pay received after dismissal from employment
- a war reparation payment
- a lump sum proceeds from a court judgment or legal settlement or an award from a statutory tribunal, such as compensation for Victims of Crime
- a lump sum received under the 1986-1990 Hepatitis C Settlement Agreement
Ontario Disability Support Plan (ODSP) Benefits

Retroactive lump sum payments of Ontario Disability Support Plan (ODSP) benefits do not retroactively impact on RGI rent because ODSP shelter allowances are not adjusted retroactively when these benefits are paid in a lump sum.

ODSP lump sums are often paid when an Ontario Works recipient is granted ODSP benefits. ODSP then reimburses Ontario Works and pays the remaining amount to the recipient. In these cases, housing providers will increase the RGI to ODSP rates beginning with the first day of the month following termination of the Ontario Works benefits.

Retroactive Lump Sums for Other Social Assistance Programs

In some cases, retroactive lump sums are used to repay other social assistance programs such as Ontario Works, ODSP, or Employment Insurance. In this case, RGI should not be retroactively calculated on the repayable amounts. Housing providers must increase the RGI effective the first day of the month following the date of the payment of the lump sum.

Court Ordered Support Garnishees

Lump sum payments can be subject to a garnishee for court ordered child or spousal support. Housing providers must ensure that the support paid by the household is deducted from the gross lump sum amount included in the retroactive RGI calculation. Housing providers will calculate the retroactive RGI based on the gross monthly amount, less the support garnishee that month. Where the monthly amount of the garnishee is unclear, the housing provider may average the total.

Steps for Calculating RGI Rent

1. Review the completed Income and Asset Review Form.
2. Determine who lives in the household and their relationship to each other (Identify the family units, benefit units, children of the household and / or student. Note that special rules apply to the income of children of the household who are 16 years of age or older.
3. Determine the source and amount of monthly income for each person in the household who is 16 years of age or older. Note excluded income as detailed in Chapter 5.
4. Determine the adjusted monthly income for each family unit, by deducting
   - child or spousal support payments (if any) made to someone outside of the household
• employment-related deductions ($75 or $150) if applicable; remember that
  children of the household do not receive an employment deduction
5. Determine the income of each family unit and of each of the children of the
  household who are not students. Add those amounts to the income of the rest of the
  family unit.
6. Determine the monthly income of each benefit unit. Apply the Ontario Works (OW)
  or Ontario Disability Program (ODSP) Rent Scales if there are no other sources of
  income. If there is another source of income (non-benefit income), and it is greater
  than the limits given on the rent scales, use the family unit calculation method. If you
  are calculating RGI rent using the family unit calculation, do not include the rent
  scale amount and exclude all benefit income.
7. Combine the RGI rent before utilities for benefit units and family units together to get
  the RGI rent before utilities for the household.
8. Determine the utility charges (+) or allowances (–) for the housing unit (utility part of
  RGI rent).
9. Combine the amounts in step 7 (RGI rent excluding utilities) and step 8 (utility
  adjustments). This amount is the RGI rent for the household unless the amount is
  equal to or less than the minimum rent. In this case, charge the household minimum
  rent. If the amount is equal to or more than the maximum rent (market rent), charge
  the household market rent.
10. Determine total monthly rent by adding any additional charges such as parking,
    cable, or sector support (co-ops only).

Step 1: Review the Income and Asset Review Form for Completeness

All members of the household 16 years of age or older must
• report their income from all sources
• provide documents for each income source (note exemption for students who are
  a child of the household, and have not been out of secondary school for more
  than 5 years), and
• sign consent forms to allow you to collect and share the personal information that
  you will need to verify the household's eligibility for RGI assistance

Note: The City requires that housing providers use the Consent and Declaration
form found RGI Forms and Tools.
RGI Administrators must verify that the household has
- listed all members of the household
- declared all sources of income for each member of the household over 16 years of age
- provided the correct documents to verify their sources of income and assets

You should verify that this information is complete and accurate by checking other documentation in the household's file such as previous income and asset review information, key assignments for the household, parking information and individuals observed on site, coming and going from the unit.

**Step 2: Determine Who Lives in the Household**

Determine who is in the household, their relationship to each other and their sources of income. Use this information to identify the family units and benefit units within the household.

**Family Units and Benefit Units**

A household may be made up of family units, benefit units, or a combination of family and benefit units.

The HSA uses the term benefit unit to refer to a single person or a family whose RGI rent is based on monthly payments received from OW or ODSP.

The HSA defines a family unit as
- a person
- a person and their spouse
- a person, their spouse and, if either person has children, any children that live with them

A family unit’s RGI rent is based on any income sources other than OW or ODSP.

Examples of family and benefit units in the household
- A household is made up of a single woman and her five-year-old son. They receive OW. They are a benefit unit.
- A household is made up of a couple and a child. One of the partners is self-employed. They are a family unit.
- A household is made up of a mother with a daughter and a son. The son has a child of his own. The mother is employed. The son and his child receive OW. The household is made up of a family unit, the mother and her daughter, and a benefit unit, the son and his child.
Chapter 6: Calculating Rent for an RGI Household

You must calculate the RGI rent (not including utilities) separately for each family unit and benefit unit and then add the amounts together. If a child of the household has income of more than $75 a month and is not a student as defined in the regulations, you must calculate the RGI rent separately.

**Step 3: Determine the Monthly Income of Each Person in the Household**

Identify all income from all sources and then eliminate excluded income.

Identify income from
- employment
- assets or investments (interest or dividends)
- pensions or support agreements
- social assistance
- retroactive payments

Separate income producing assets from non-income producing assets and calculate the income from these accordingly. Divide all interest calculations (imputed or actual rate of return) by 12 to determine the monthly income.

Exclude any income detailed in Chapter 5.

**Student Income**

The income of a **student** is excluded from gross monthly income if they
- are a child of the household, and
- are attending a recognized educational institution **full-time**, and
- have not been out of secondary school for more than 5 years at the start of the current study period

See Chapter 5 for the definitions of full-time attendance, child of the household and verification of recognized educational institutions.

The income of a **part-time student** who is a **child of the household** is included in gross monthly income.

The income of a student who is a **foster child** is not included in gross monthly income.

The income of a student who is **not a child of the household** is included in gross monthly income.
Step 4: Determine the Adjusted Monthly Income

Determine the adjusted monthly income by deducting support payments made (if any) and employment related deductions.

Payment of Spousal or Child Support

If an individual pays court-ordered support payments, deduct the amount of the support payment from their gross monthly income.

Employment-Related Income Deduction

Each family unit is allowed a deduction for employment-related income.

Note: A family unit is an individual, an individual with children, a couple or a couple with children. Employment-related income includes EI benefits, short-term WSIB benefits, and government training allowances.

The monthly employment income must be greater than the deduction. If at least one person in a family unit with children has earned income, the deduction is $150. If there are no children, each person with earned income has a deduction of $75.

Household members who have income from OW or ODSP income, but also have employment income above the non-benefit income limit, also qualify for the deduction.

There is no employment deduction for a child of the household who earns employment income. See Step 5 in this chapter.

The following table provides examples of employment related income deductions for a variety of family unit types.

Table 2: Examples of Employment-Related Income Deductions

<table>
<thead>
<tr>
<th>Household Composition</th>
<th>Employment-related Income Deductions</th>
</tr>
</thead>
<tbody>
<tr>
<td>One person with employment income and no children.</td>
<td>$75</td>
</tr>
<tr>
<td>One person with employment income and 1 or more children.</td>
<td>$150</td>
</tr>
<tr>
<td>A couple both with employment income and no children.</td>
<td>$75 for each person = $150</td>
</tr>
</tbody>
</table>
### Household Composition vs. Employment-related Income Deductions

<table>
<thead>
<tr>
<th>Household Composition</th>
<th>Employment-related Income Deductions</th>
</tr>
</thead>
<tbody>
<tr>
<td>A couple, both with employment income, and 3 children.</td>
<td>$150 for the family unit</td>
</tr>
<tr>
<td>A household has three adults and two children — a couple with two children and an unrelated adult. Each adult has employment income.</td>
<td>$150 for the couple with children (one family unit) $75 for the single person (another family unit)</td>
</tr>
<tr>
<td>A household made up of three adult brothers. Each brother is employed. There are no children in the household.</td>
<td>$75 for each person (3 separate family units)</td>
</tr>
<tr>
<td>A household with a single working parent and a 28-year-old child who has always lived at home with employment income of $2,550 a year.</td>
<td>$150 for the single working parent</td>
</tr>
<tr>
<td>A single woman lives with her 2 adult children and a grandson. The single woman works. Her oldest child and her grandson receive OW benefits. Her younger child is a student.</td>
<td>$150 for the single working woman and her younger child</td>
</tr>
</tbody>
</table>

### Step 5: Calculate the RGI Rent (excluding utilities) for a Family Unit

Calculate the total adjusted monthly income by adding the gross monthly income for each member of a family unit and then subtracting any employment-related deductions, this is called the total adjusted monthly income. Use 30 per cent of this amount to determine the RGI rent excluding utilities for the family unit.

If there is a **child of the household** who has income greater than $75 a month and they are not a student who qualifies to have their income excluded, you must use a different method of calculation for their income. You multiply the first $1,000 of gross monthly income by 15 per cent. Multiply the rest by 30 per cent. There is no age limit for a child of the household.

**Note:** There are special rules for dealing with a student’s income. See Step 3 in this chapter.
Chapter 6: Calculating Rent for an RGI Household

The following examples show how to calculate the RGI rent (excluding utilities) for a family unit.

Example 1

A family consists of a single parent and one child who attends public school. The parent has gross employment income of $24,000 per year and receives a monthly child support payment of $200.

This household consists of one family unit.

**Monthly Income**

**Adult A**

Employment income
- $24,000 a year ÷ 12 = $2,000

Other income
- Child support received = $200/month

**Total Income**
- Total monthly income = $2,200
- Employment-related income deduction = - $150
- Total adjusted monthly income = $2,000 + $200 - $150 = **$2,050**

Monthly RGI rent, excluding utilities (30% of total adjusted monthly income)
- $2,050 x 30% = **$615**

Example 2

A family consists of a couple, both over 65 years of age. They each receive basic Old Age Security (OAS) ($551), Guaranteed Income Supplement (GIS) ($495) and Guaranteed Annual Income System (GAINS) ($83).

This household consists of one family unit.

**Monthly Income**

**Adult A**
- OAS = $551
- GIS = $495
- GAINS = $83

**Adult B**
- OAS = $551
- GIS = $495
- GAINS = $83
Chapter 6: Calculating Rent for an RGI Household

Total Income
- Total monthly income = $2,258
- Deductions = 0
- Total adjusted monthly income = $2,258

Monthly RGI rent, excluding utilities (30% of total adjusted monthly income)
- $2,258 x 30% = $677 (rounded down)

Example 3
The household consists of a two-parent family with two children. One parent is self-employed with a net business income of $36,000, as indicated by an income tax return, including the Statement of Business Activities and Notice of Assessment. (You have already determined that there were no deductions made for depreciation, rent, or childcare.) The other parent has no employment income, but holds an RRSP with a total value of $20,000.

This household consists of one family unit.

Monthly income
Adult A
Employment related income
- Self-employment (Net business income)
  - $36,000 a year ÷ 12 = $3,000

Adult B
Other income
- RRSP – this is excluded

Total Income
- Total monthly income = $3,000
- Employment-related income deductions for Adult A = - $150
- Total adjusted monthly income = $3,000 - $150 = $2,850

Monthly RGI rent, excluding utilities (30% of total adjusted monthly income)
- $2,850 x 30% = $855

Example 4
A father lives with his 17 year-old son. The father earns $18,000 annually. The son earns an annual salary of $14,000. The son is not in school.

This household consists of one family unit.
Chapter 6: Calculating Rent for an RGI Household

Monthly Income

Adult A

Employment income
- $18,000 a year ÷ 12 = $1,500

Total Income for Adult A
- Total monthly income = $1,500
- Employment-related income deduction = - $150
- Total adjusted monthly income = $1,350

Monthly RGI rent, before utilities, for Adult A (30% of total adjusted monthly income)
- $1,350 x 30% = $405

Child of the Household

Employment income
- $14,000 ÷ 12 = 1166.67
- Multiply first $1,000 by 15% = $150
- Multiply remaining amount by 30%
- $1,166.67 - $1,000 = $166.67 x 30% = $50

Monthly RGI rent, before utilities, for Child of the Household (total of the two amounts)
- $150 + $50 = $200

Total RGI rent for household

Monthly RGI rent, excluding utilities for the household (Add the child’s monthly RGI rent, before utilities, to the father’s RGI rent)
- $405 + $200 = $605

Step 6: Determine the RGI Rent (excluding utilities) for a Benefit Unit

To calculate the RGI rent, excluding utilities, for a benefit unit, you use Tables 3, 4, or 5 in Regulation 298. We have included these tables in the RGI Administration Manual.

There are two scales for benefit units who receive OW and one scale for ODSP recipients.

Before you use these tables, you must know how many people are covered by a single OW or ODSP cheque. The Statement of Assistance will tell you this. You will also need to know whether or not they have any non-benefit income.
1. Determine which table applies to the family — Table 3, Table 4, or Table 5.
2. Go to Column 1 in the correct table and find the row for the number of people in the benefit unit (listed on the Statement of Assistance).
3. Determine if there is any non-benefit income (income from employment, assets, or from pensions or support agreements)
   - If there is no non-benefit income, use Column 2 of the correct table to determine the monthly RGI rent for the benefit unit. Skip Step 4 of the RGI calculation.
   - If there is non-benefit income, refer to the non-benefit income limits in Column 3
   - If the non-benefit income is
     - equal to or less than the limit in Column 3, use the monthly RGI rent in Column 2
     - more than the limit in Column 3, calculate the monthly RGI rent using the calculation method for a family unit; use the non-benefit income only (see Step 5 in this chapter for the calculation method)

**Do not** add benefit income and non-benefit income of a household member together. Either use the scale amount given in Column 2 or, if the non-benefit income is greater than the limit, use the non-benefit income.

Use Table 3 on the next page for Ontario Works (OW) recipients who are single parents.

**Note:** If the shelter component of the social assistance payment is greater than the scale amount, advise the recipient to report the current total rent to Toronto Employment and Social Services. This will prevent overpayment deductions in future.
Table 3: Ontario Works Rent Scale for a Benefit Unit – no spouse with dependents

- Recipient with no spouse and one or more other dependents

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Size of Benefit Unit (Number of people in the benefit unit)</td>
<td>Rent Attributable to Benefit Unit (monthly)</td>
<td>Non-Benefit Income Limit (Monthly)</td>
</tr>
<tr>
<td>2</td>
<td>$191</td>
<td>$791</td>
</tr>
<tr>
<td>3</td>
<td>$226</td>
<td>$907</td>
</tr>
<tr>
<td>4</td>
<td>$269</td>
<td>$1,051</td>
</tr>
<tr>
<td>5</td>
<td>$311</td>
<td>$1,191</td>
</tr>
<tr>
<td>6</td>
<td>$353</td>
<td>$1,331</td>
</tr>
<tr>
<td>7</td>
<td>$396</td>
<td>$1,474</td>
</tr>
<tr>
<td>8</td>
<td>$438</td>
<td>$1,614</td>
</tr>
<tr>
<td>9</td>
<td>$480</td>
<td>$1,754</td>
</tr>
<tr>
<td>10</td>
<td>$523</td>
<td>$1,897</td>
</tr>
<tr>
<td>11</td>
<td>$565</td>
<td>$2,037</td>
</tr>
<tr>
<td>12 or more</td>
<td>$607</td>
<td>$2,117</td>
</tr>
</tbody>
</table>
Table 4: Ontario Works Rent Scale for a Benefit Unit – recipients not in Table 3

- Recipient with no spouse and no other dependents; or
- Recipient with a spouse and no other dependents; or
- Recipient with a spouse and one or more other dependents

<table>
<thead>
<tr>
<th>Column 1: Size of Benefit Unit (Number of people in the benefit unit)</th>
<th>Column 2: Rent Attributable to Benefit Unit (monthly)</th>
<th>Column 3: Non-Benefit Income Limit (Monthly)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$85</td>
<td>$360</td>
</tr>
<tr>
<td>2</td>
<td>$175</td>
<td>$737</td>
</tr>
<tr>
<td>3</td>
<td>$212</td>
<td>$861</td>
</tr>
<tr>
<td>4</td>
<td>$254</td>
<td>$1,001</td>
</tr>
<tr>
<td>5</td>
<td>$296</td>
<td>$1,141</td>
</tr>
<tr>
<td>6</td>
<td>$339</td>
<td>$1,284</td>
</tr>
<tr>
<td>7</td>
<td>$381</td>
<td>$1,424</td>
</tr>
<tr>
<td>8</td>
<td>$423</td>
<td>$1,564</td>
</tr>
<tr>
<td>9</td>
<td>$466</td>
<td>$1,707</td>
</tr>
<tr>
<td>10</td>
<td>$508</td>
<td>$1,847</td>
</tr>
<tr>
<td>11</td>
<td>$550</td>
<td>$1,987</td>
</tr>
<tr>
<td>12 or more</td>
<td>$593</td>
<td>$2,131</td>
</tr>
</tbody>
</table>
### Table 5: Ontario Disability Support Program Rent Scale

<table>
<thead>
<tr>
<th>Size of Benefit Unit (Number of people in the benefit unit)</th>
<th>Rent Attributable to Benefit Unit (monthly)</th>
<th>Non-Benefit Income Limit (Monthly)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$109</td>
<td>$440</td>
</tr>
<tr>
<td>2</td>
<td>$199</td>
<td>$817</td>
</tr>
<tr>
<td>3</td>
<td>$236</td>
<td>$941</td>
</tr>
<tr>
<td>4</td>
<td>$278</td>
<td>$1,081</td>
</tr>
<tr>
<td>5</td>
<td>$321</td>
<td>$1,224</td>
</tr>
<tr>
<td>6</td>
<td>$363</td>
<td>$1,364</td>
</tr>
<tr>
<td>7</td>
<td>$405</td>
<td>$1,504</td>
</tr>
<tr>
<td>8</td>
<td>$448</td>
<td>$1,647</td>
</tr>
<tr>
<td>9</td>
<td>$490</td>
<td>$1,787</td>
</tr>
<tr>
<td>10</td>
<td>$532</td>
<td>$1,927</td>
</tr>
<tr>
<td>11</td>
<td>$575</td>
<td>$2,071</td>
</tr>
<tr>
<td>12 or more</td>
<td>$617</td>
<td>$2,211</td>
</tr>
</tbody>
</table>

### When a Benefit Unit Does Not Receive a Shelter Allowance

Some benefit units may not be receiving any shelter allowance from OW or ODSP.

For example, a household consists of a single father living with his teenage daughter (under 18) and her child. This household includes two benefit units. In the first benefit unit, the father receives the basic needs amount and shelter allowance for himself and his daughter. In the second benefit unit, her child receives only the basic needs amount and not the shelter allowance.
Charge the correct amount from the RGI rent scale for the benefit unit that receives the shelter allowance. Do not charge RGI rent to a benefit unit that does not receive a shelter allowance.

In this example, charge the household the scale amount for two beneficiaries.

The following examples show how to calculate the RGI rent, excluding utilities, for a benefit unit (OW).

**Example 5**

A family consists of a single parent with two children. The family receives Ontario Works benefits. The parent works on a part-time basis and earns $600 gross per month.

1. The family is made up of a single person with two children, so use Table 3.
2. There are three individuals covered by Ontario Works. Go to Column 1 of Table 3 and find the row for three individuals.
3. The non-benefit income is less than the limit in Column 3 ($907) so you would find the RGI rent in Column 2 ($226).

**Example 6**

A family consists of a single parent and one child. The family receives Ontario Works benefits. The parent has gross monthly employment income of $850.

1. The family is made up of a single person and a child.
2. There are two individuals covered by Ontario Works. Go to Column 1 of Table 3 and find the row for two individuals.
3. The non-benefit income is greater than the limit in Column 3 ($791).
4. Use the family unit calculation method. **Do not** include the Ontario Works benefits. Remember to deduct $150 for the Employment Related Income Deduction.

**Monthly Income**

**Adult A**

Employment income

- $850
- Total monthly income = $850
- Employment-related income deduction = - $150

**Total income**

- Total adjusted monthly income = $850 - $150 = **$700**

Monthly RGI rent, excluding utilities (30% of total adjusted monthly income)

- $700 x 30% = **$210**
Calculating RGI for People Receiving ODSP and CPP-D or OAS Spouse’s Allowance

A family that receives ODSP benefits may also receive income from
- Canada Pension Plan for the Disabled (CPP-D), or
- Old Age Security (OAS) Spouse’s Allowance.

To calculate the monthly RGI rent, refer to the ODSP Basic Needs Allowances (see Table 6 below) and Table 5.

If the income from CPP-D or Spouse’s Allowance is equal to or less than the ODSP Basic Needs Allowance, use Table 5 to determine the monthly RGI rent before utilities. If the income from CPP-D or Spouse’s Allowance is greater than the ODSP Basic Needs Allowance, calculate the monthly RGI rent before utilities using the calculation method for a family unit. Do not include the ODSP assistance. See Step 5 in this chapter for the calculation method.

**Note:** There is an exception for single people (no other household members) with ODSP and CPP-D or OAS Spouse’s allowance. For these households, if the Basic Needs Allowance is below the maximum but the non-benefit income is above the ODSP limit, they will still pay the RGI rent from the rent scale and the non-benefit income is excluded.

**Table 6: Ontario Disability Support Program (ODSP) Basic Needs Allowances**

<table>
<thead>
<tr>
<th>Number of Dependants other than a Spouse</th>
<th>Number of Dependants 18 Years or Older</th>
<th>Number of Dependants 0-17 Years</th>
<th>Recipient (no spouse in benefit unit)</th>
<th>Recipient and Spouse (1 disabled)</th>
<th>Recipient and Spouse (both disabled)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$672</td>
<td>$969</td>
<td>$1,341</td>
</tr>
<tr>
<td>1</td>
<td>0</td>
<td>1</td>
<td>$815</td>
<td>$969</td>
<td>$1,341</td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>0</td>
<td>$1,041</td>
<td>$1,157</td>
<td>$1,529</td>
</tr>
<tr>
<td>2</td>
<td>0</td>
<td>2</td>
<td>$815</td>
<td>$969</td>
<td>$1,341</td>
</tr>
<tr>
<td>2</td>
<td>1</td>
<td>1</td>
<td>$1,041</td>
<td>$1,157</td>
<td>$1,529</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td>0</td>
<td>$1,230</td>
<td>$1,367</td>
<td>$1,739</td>
</tr>
</tbody>
</table>

*Ontario Disability Support Program Act, Reg. 222, s.30(1), effective September 1, 2018.*

For each additional dependant, add $211 if the dependant is 18 years of age or older, or $0 if the dependant is 0-17 years of age.
Chapter 6: Calculating Rent for an RGI Household

Example 7
A couple (one person has a disability) receives ODSP plus a monthly CPP-D benefit of $650.

1. The couple receives ODSP and CPP-D so check the ODSP Basic Needs Allowance (Table 6).
2. The CPP-D benefit ($650) is less than the maximum Basic Needs Allowance ($969) for a couple with one person disabled as stated in Table 6.
3. Go to Column 1 of Table 5 and go down the column until you come to the row for two individuals.
4. Use Column 2 of Table 5 to find the monthly RGI rent before utilities ($199).

Example 8
A man with a disability and his spouse receive ODSP plus a monthly CPP-D benefit of $990. The spouse has no earned income.

1. The couple receives ODSP and CPP-D so check the ODSP Basic Needs Allowance (Table 6).
2. The income from CPP-D ($990) is greater than the ODSP maximum Basic Needs Allowance ($969).
3. Use the calculation method that you use for families not receiving OW or ODSP. Do not include the ODSP benefits. There is no deduction for employment related income.

Monthly Income
Adult A
• CPP-D benefit = $990
• Total monthly income = $990
• Employment-Related Income Deduction = 0

Total Income
• Total Adjusted Monthly Income = $990

Monthly RGI rent, excluding utilities (30% of Total Adjusted Monthly Income)
• $990 x 30% = $297
Step 7: Combine the Monthly RGI Rent before Utilities for Family Units and Benefit Units to Get the Monthly RGI Rent before Utilities for the Household

Add the RGI rent for each family unit or benefit unit in the household. If there is a child in the household who makes more than $75 a month, include any RGI that they must pay in the total.

Step 8: Determine the Utility Part of RGI Rent

Determine the utility charges (+) or allowances (-) for the housing unit (utility part of RGI rent).

For calculation purposes, a housing provider is assumed to supply the following services: heat, hot water, water, refrigerator and stove.

If a housing provider offers more services than those listed above, you must add a utility charge. For instance, if the housing provider pays for electricity for lights, power and cooking facilities, you must add a utility charge to the RGI rent.

If a housing provider provides fewer services than listed above, you must subtract a utility allowance.

Services, Utilities and Heating

Tables 7, 8, 9, 10 and 11 give the amounts that are added or subtracted from the RGI rent for services, utilities and heating.

Table 7: Standard Extra Charges

If a housing provider pays for the services and utilities listed in Table 7, charge the household for the services and utilities that they use.

The most common charges are for electricity and cooking power. If the household does not pay directly for hydro, there is always a charge for electricity (first item in the chart) and power for cooking facilities in the unit (second item in the chart). If a household pays the hydro company directly, there is no charge.

Apply the other charges in the standard extra charges only if the housing provider also supplies the listed service. Add a charge for power to operate a clothes dryer only if the dryer is in the unit. Add a charge for a washer or dryer only if they are in the unit.

Charges vary with the unit size. Pick the amount in the column which shows the household’s unit size. Add the charge to the RGI rent.
Add a charge for any of the following, if they are paid by the housing provider.

**Table 7: Standard Extra Charges**

<table>
<thead>
<tr>
<th>Service or Utility</th>
<th>Hostel bed, bachelor, 1 bedroom unit</th>
<th>2-bedroom unit</th>
<th>3-bedroom unit</th>
<th>4+ bedroom unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electricity, but not:</td>
<td>$24</td>
<td>$34</td>
<td>$39</td>
<td>$41</td>
</tr>
<tr>
<td>a) for heating the unit</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) for heating the water supplied to the unit</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) power for cooking facilities in the unit, or</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) to operate a clothes dryer in the unit</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Power for cooking facilities in the unit</td>
<td>$6</td>
<td>$9</td>
<td>$11</td>
<td>$12</td>
</tr>
<tr>
<td>Laundry facilities in the building that are not coin-operated</td>
<td>$6</td>
<td>$9</td>
<td>$11</td>
<td>$13</td>
</tr>
<tr>
<td>Power to operate a clothes dryer in the unit</td>
<td>$6</td>
<td>$9</td>
<td>$11</td>
<td>$13</td>
</tr>
<tr>
<td>A washing machine in the unit that is not coin-operated.</td>
<td>$2</td>
<td>$2</td>
<td>$2</td>
<td>$2</td>
</tr>
<tr>
<td>Clothes dryer in the unit that is not coin-operated.</td>
<td>$2</td>
<td>$2</td>
<td>$2</td>
<td>$2</td>
</tr>
</tbody>
</table>
Table 8: Allowances for Water and Appliances

If a household must pay directly to a utility company for power to operate a hot water heater, or for water other than hot water, you must deduct an allowance, as listed in Table 8. This also applies if the household must supply their own refrigerator and stove. Note that there are different allowances for hot water, depending on the power source (oil, gas or electricity) used to heat water and whether or not the hot water tank is owned or leased.

Allowances vary with the unit size. Pick the amount in the column which corresponds with the household’s unit size. Deduct the allowance from the RGI rent.

**Subtract an allowance for any of the following, if they are paid by the household.**

<table>
<thead>
<tr>
<th>Service or Utility</th>
<th>Hostel bed, bachelor, 1 bedroom</th>
<th>2-bedroom unit</th>
<th>3-bedroom unit</th>
<th>4+ bedroom unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil used to operate a hot water heater, where the household does not pay a rental fee for the heater</td>
<td>$28</td>
<td>$34</td>
<td>$39</td>
<td>$47</td>
</tr>
<tr>
<td>Oil used to operate a hot water heater if the household pays a rental fee for the heater</td>
<td>$34</td>
<td>$41</td>
<td>$46</td>
<td>$56</td>
</tr>
<tr>
<td>Gas used to operate a hot water heater if the household does not pay a rental fee for the heater</td>
<td>$15</td>
<td>$21</td>
<td>$26</td>
<td>$32</td>
</tr>
<tr>
<td>Gas used to operate a hot water heater if the household pays a rental fee for the heater</td>
<td>$29</td>
<td>$40</td>
<td>$47</td>
<td>$54</td>
</tr>
</tbody>
</table>
### Tables 9, 10 and 11: Oil, Gas and Electricity Heat Allowances

If a household must pay directly to a utility company for oil, gas or electricity to heat their unit, you must deduct an allowance, as listed in one of Tables 9, 10 or 11.

Allowances vary with the type of unit. Pick the type of unit from one of Table 9 (Oil), 10 (Gas) or 11 (Electricity). Deduct the allowance from the RGI rent.

<table>
<thead>
<tr>
<th>Service or Utility</th>
<th>Hostel bed, bachelor, 1 bedroom</th>
<th>2-bedroom unit</th>
<th>3-bedroom unit</th>
<th>4+ bedroom unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electricity used to operate a hot water heater if the household does not pay a rental fee for the heater</td>
<td>$23</td>
<td>$28</td>
<td>$32</td>
<td>$39</td>
</tr>
<tr>
<td>Electricity used to operate a hot water heater if the household pays a rental fee for the heater</td>
<td>$28</td>
<td>$34</td>
<td>$38</td>
<td>$46</td>
</tr>
<tr>
<td>Water, other than hot water</td>
<td>$8</td>
<td>$15</td>
<td>$18</td>
<td>$20</td>
</tr>
<tr>
<td>Refrigerator</td>
<td>$2</td>
<td>$2</td>
<td>$2</td>
<td>$2</td>
</tr>
<tr>
<td>Stove</td>
<td>$2</td>
<td>$2</td>
<td>$2</td>
<td>$2</td>
</tr>
</tbody>
</table>
Subtract an allowance for any of the following, if they are paid by the household.

**Table 9, 10 and 11: Heat Allowances in Southern Region**

<table>
<thead>
<tr>
<th>Type of Unit</th>
<th>Table 9 Oil Heat Allowance</th>
<th>Table 10 Gas Heat Allowance</th>
<th>Table 11 Electric Heat Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment, bachelor or 1 bedroom</td>
<td>$49</td>
<td>$21</td>
<td>$40</td>
</tr>
<tr>
<td>Apartment, 2 bedroom</td>
<td>$51</td>
<td>$24</td>
<td>$42</td>
</tr>
<tr>
<td>Apartment, 3 or more bedrooms</td>
<td>$64</td>
<td>$25</td>
<td>$53</td>
</tr>
<tr>
<td>Row house</td>
<td>$68</td>
<td>$28</td>
<td>$56</td>
</tr>
<tr>
<td>Semi-detached house</td>
<td>$92</td>
<td>$39</td>
<td>$76</td>
</tr>
<tr>
<td>Single detached house</td>
<td>$136</td>
<td>$56</td>
<td>$112</td>
</tr>
</tbody>
</table>

These examples show how to determine the RGI rent, including the utilities.

**Example 9**

A family living in a three-bedroom co-op apartment pays no utility bills. The co-op pays the bill for electrical power for the entire building. This family, a single parent with two children, has a gross monthly income of $2,300 and no income from assets.

This household consists of one family unit

**Monthly Income**

**Adult A**
- Employment income = $2,300

**Total Income**
- Total monthly income = $2,300
- Employment-related income deduction = - $150
- Total adjusted monthly income = $2,300 - $150 = $2,150

Monthly RGI rent, excluding utilities (30% of total adjusted monthly income)
- $2,150 x 30% = $645
Chapter 6: Calculating Rent for an RGI Household

Utilities
- Electricity (Table 7) = $39
- Cooking (Table 7) = $11
- Total = $39 + $11 = $50

Total RGI rent
- $645 + $50 = $695

Example 10
A household lives in a two-bedroom apartment in a non-profit. They pay directly for hydro as well as gas heat for the unit and for heating a rented hot water heater. This family receives ODSP for three people and has no employment-related income.

This household consists of one benefit unit.

Monthly RGI rent excluding utilities based on Table 5 = $236

Utilities
Deduction for
- gas heat (Table 10) = $24
- gas for rented hot water heater (Table 8) = $40
- Total deductions = $24 + $40 = $64

Total RGI rent
- $236 - $64 = $172

Step 9: Determine the Household RGI Rent and Compare the RGI Rent to the Minimum and Maximum Rent

Until July 1, 2020, minimum rent is $85.

The minimum RGI rent is applied to the unit as a whole. It cannot be charged to more than one “family” living in the unit. For example, three students live together. They have no income except for student loans. The RGI rent for the entire unit is $85 (if calculated prior to July 1, 2020). You do not charge each student $85.

As of July 1, 2020, the new minimum rent will be $129. This amount will be increased and indexed on July 1st of each year, following the province’s annual rent increase guideline.
For each household, the new minimum will come into effect at the time of their next scheduled RGI review, on or after July 1, 2020.

If a household has been paying minimum rent ($85) or rent lower than $129 immediately prior to the July 2020, their rent increases will be phased in as follows:

- If a household has been paying $93 or less immediately prior to July 2020, they will pay $93 for the first year beginning at their next RGI review, and the rent will be increased by $8 each year until they reach the new minimum rent ($129 plus any annual indices that have been applied).
- If a household has been paying between $93 and $129 immediately prior to July 2020, they will pay their calculated amount of RGI rent at their next RGI review. They will continue to pay the calculated amount until the phased in amount exceeds their income.
  - For example, for a household where the phased-in minimum rent applies, if rent is $100 in September 2020, this household would not be impacted by the first minimum rent increase to $93, as it is below their current rent payment. Instead they would continue to pay the calculated amount of $100 until their next annual review. However, if the household’s rent was still calculated at $100 one year later, they would now be below the phased-in minimum rent of $101 ($93 + $8). In this case the household would pay $101.

- Once a household's RGI rent calculation has reached the new minimum rent or above ($129 plus any annual adjustments according to the province’s annual rent increase guidelines), they no longer qualify for the phased-in calculation ($93+).

**Benefit units**

Rent for benefit units will continue to be based on the rent scale tables which have not changed (assuming non-benefit income does not exceed the limit). However, benefit units are still subject to minimum rent, as they are currently, if the non-benefit income exceeds threshold limits.

If the rent scale is at or below the minimum rent ($129 as of July 1, 2020, plus any indexing), the rent scale is considered the minimum rent after any utility adjustments.

Combine the amounts in Steps 7 and 8. This amount is the total RGI rent for the household unless the amount is

- more than the maximum rent (market rent); in this case, charge the household market rent
- less than the minimum rent; in this case, charge the household minimum rent
These examples show calculations of minimum rent, using the $129 minimum rent amount.

**Example 11**

A household was paying $150 in RGI rent immediately prior to July 1, 2020, and had their annual RGI rent review completed in October of 2020.

**Monthly RGI rent excluding utilities**
- $75

**Utility charge**
- $30

**Monthly RGI rent including utilities**
- $105

**Total RGI rent**
- $129

RGI rent cannot be less than $129

If the household had been paying $105 prior to July 1, 2020, and the rent calculation remained the same each year

- 2020/2021 RGI rent = $105 ($93 is the base, $105 > $93)
- 2021/2022 RGI rent = $105 ($93 + $8 = $101 is the base, $105 > $101)
- 2022/2023 RGI rent = $109 ($93 + $8 + $8 = $109 is the base, $105 < $109)
- 2023/2024 onward = $109 + $8 per year until the new minimum rent is reached ($129 plus any indexing)

**Example 12**

A woman lives in a one-bedroom apartment. She receives ODSP. The co-op is heated by electricity. She pays for her own electricity. Her annual RGI rent review is in August of 2020.

**Benefit Unit**

**Monthly RGI rent excluding utilities**
- based on Table 4 = $109

**Utility deduction**
- electric heat (Table 11) = $40

**Monthly RGI rent, including utilities**
- $109 - $40 = $69
RGI rent
- $69 < $109 therefore RGI rent = $109
  RGI rent for this benefit unit cannot be less than $109

**Step 10 Determine Total Monthly Rent**

Add non-RGI charges (if any) for extra services such as parking, cable TV, or sector support (for co-ops only). Add these charges to the RGI rent to determine the total rent for the household.

The City of Toronto does not pay for services such as cable TV or parking as part of the housing providers’ RGI subsidy. The RGI household must pay for these services.

**Charges that are not related to RGI rent – Co-ops Only**

Co-ops can charge their members for the enforcement of by-laws and policies such as lock-out charges for providing a key after hours, and late payment fines. These charges cannot be added to rent as they are not monthly charges. Charges must be reasonable.

This example includes non-RGI charges.

**Example 13**

A family of three, two adults and a child has employment income of $1,800 gross per month. They live in a two-bedroom co-op apartment. They pay for their own electricity. The unit is heated by electric baseboard heaters.

**Family Unit**

**Monthly Income**

**Adult A**
- Employment income = $1,800
- Total monthly income = $1,800
- Employment-related income deduction = - $150

Total adjusted monthly income
- $1,800 - $150 = $1,650

Monthly RGI rent excluding utilities
(30% of Total Adjusted Monthly Income)
- $1,650 x 30% = $495

Utilities
- deduct for electric heat (Table 11) = $42
Chapter 6: Calculating Rent for an RGI Household

RGI rent
- $495 - $42 = $453

Plus non-RGI charges for
- parking = $65
- sector support = $8
- Total = $65 + $8 = $73

**Total monthly rent** to household (RGI rent + non-RGI charges)
- $453 + $73 = $526

*Note:* for non-profits and co-ops **RGI rent** is the amount charged to the Subsidy Receivable account. **Total monthly rent** is the amount charged monthly to the household.

Calculating Rent for a Partial Month

If a household moves in after the first of the month, you must charge them a partial or pro-rated rent.

1. Calculate the total monthly RGI rent
2. Divide the total monthly RGI rent amount by the number of days in the month.
3. Determine the number of days in the month that the household will be living in the unit.
4. Multiply the daily amount (step 2) by the number of days the household will be living in the unit (step 3).

**Example 14**

A household moves into a unit on October 22. The total monthly rent for this household is $701. Divide $701 by 31 (the number of days in the month) and multiply by 10 (the number of days the household will be living in the unit). Their partial monthly rent for October would be $226.

- $701 ÷ 31 = $22.61 x 10 = $226 (rounded down)

*Note:* A tool for calculating partial rent can be found under [RGI Forms and Tools](#).

Documenting RGI Rent Calculations

Be sure to fully document how you calculated the RGI rent for a household. If you use software to calculate the RGI rent, be sure to keep detailed electronic files for each household. If you complete these calculations manually, keep your completed calculations records.
calculation sheet with the verification in the household's file. Ensure that your calculations provide enough detail about the rent calculation so that a household can understand how you calculated their rent.

Always use a standard template, either software or manual, for your RGI rent calculations.

**Error in RGI Calculation**

**RGI Administrator Error**

If an RGI household has paid less rent than they should have because of an error in the RGI Administrator's RGI calculation, **do not** charge the household for the difference. When you discover the error, complete a new income review as soon as possible and issue a new RGI decision using prescribed notification timelines.

**Household Error**

When an RGI household has paid less rent than they should have because the household did not disclose an income source or change in income, an RGI Administrator must determine if the lack of disclosure was intentional or not.

If this was intentional, this is not an error. If the RGI Administrator believes the household deliberately withheld information, they must investigate. If they determine that the household misrepresented their income or withheld information, they must issue a Notice of Decision - Loss of Eligibility for RGI Assistance.

If this was not intentional, RGI Administrators have 2 options for collecting amounts owed:

1. You may enter into a repayment plan with the household. This is the recommended option because it is most straightforward. Housing providers should create a repayment plan policy to ensure that households are treated consistently. The policy should consider the amount the household owes, their ability to pay and the length of time it would take to repay. The household can also choose to pay more than prescribed in the repayment plan.

2. You may increase RGI rent to recover the difference. If you choose this option, the increase cannot be more than 10 per cent of the corrected RGI rent. This option is not recommended because it is more complicated than the repayment agreement option and could result in a long repayment schedule. It could be used in situations where there is no expectation of other mid-year changes in income/RGI rent.
In both cases the household can choose to pay a higher amount than the original agreement.

Regardless, the RGI rent must be increased and the household must be given written notice of their increased rent. The effective date of the new RGI rent will depend on when the change took place and whether the household has agreed to a repayment plan or the repayment is being incorporated into the rent:

1. Repayment plan: The household will be expected to pay the new RGI rent (increase) the first day of the month after your notice (provided this date falls on at least the second month after the change occurred).
2. Rent increase: If no arrangements are made to repay the amount owing, the RGI rent can be increased to recover the debt and the increase will take effect on the first day of the second month after the notice is given.
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Income and Asset Reviews
Income and asset reviews must be conducted to determine initial and ongoing eligibility for RGI assistance, to verify sources of income and assets and to calculate rent.

Informed Consent
RGI households must sign consent forms that allow RGI Administrators to contact a community agency, family members, friends, etc. to assist in the completion of a review. See Chapter 9.

When to Conduct Income and Asset Reviews
You must conduct an income and asset review

   For applicants
     • before you offer a unit to a household applying for RGI assistance

   For existing RGI households
     • annually when an RGI household notifies you of a change in income, assets, or household composition
     • at other times if the service manager requires it

Types of RGI Reviews

Initial Review
An Initial Review is a mandatory assessment of income, assets, household composition and other eligibility criteria, conducted for households before you offer a unit with RGI assistance.

Annual Income and Asset Review
An Annual Income and Asset Review is a mandatory assessment of income, assets, eligibility and family composition. It is conducted for all RGI households at least once in every 12 month period (up to 24 months for fixed income households). Through this review you must ensure that the household is

  • still eligible for RGI assistance
  • still eligible for their unit (size and any special needs modifications or services)
  • receiving the right amount of assistance
Mid-year Review - Change in Income and Assets

A Mid-year Review must be conducted when a household notifies you that they have had a change in income, assets, or family composition before their next Annual Income and Asset Review is due. If one member of the household informs you that they have had a change in income or assets, new income verification is required from the other members of the household at that time. All household members must sign a new declaration of income, assets and household composition.

Service Manager Review

The City, as Service Manager, can require a housing provider to review an RGI household’s assistance at any time.

Planning an Annual Review

Plan the annual review so that RGI rent changes will take place on the

- same day for every household, usually the beginning of the fiscal year, or
- anniversary of the day that a household took occupancy of a unit, or
- anniversary of the last annual review

RGI Administrators can decide to change annual review dates.

The Household Income and Asset Review Form must include all required information as detailed in the template documents for annual reviews found in RGI Forms and Tools.

**Note:** To be sure you are in compliance, use the templates provided in RGI Forms and Tools.

Reviews for Fixed Income Households

An RGI Administrator may review a household's eligibility for RGI assistance every 24 months instead of annually if

- no members of the household have employment income; **and**
- the household income is received in fixed amounts; **and**
- the household has no dependants
Households eligible for reviews every 24 months receive their income from one or more of the following sources:

- Ontario Disability Support Program (ODSP)
- Canada Pension Plan for the Disabled (CPP-D)
- Workers Safety and Insurance Board (WSIB) long-term
- Old Age Security Pension (OAS)
- Guaranteed Income for Seniors (GIS)
- Guaranteed Annual Income Support for Seniors – GAINS-A
- Annuities - either capital investments or insurance settlements
- Government Reparation Payments

**How to Complete an Annual Review**

1. Send out a covering letter and Income and Asset Review Form to every RGI household. The covering letter must include:
   a. the date the letter was issued
   b. the name of each resident of the household who is 16 years of age or older
   c. the address of the household
   d. the deadline for returning the signed and completed review form
   e. information about the consequences of not completing and returning the form (potential loss of eligibility for RGI assistance)

2. When you receive a completed Income and Asset Review Form, check that it is complete and signed by every member of the household 16 years of age or older. Make sure any documents needed to verify income and assets are included.

3. Date stamp all documents received and record their receipt in the household's file. Provide a receipt to household members upon request.

4. Send a follow-up notice to households who have submitted their annual review package but have not provided all required documents. The notice must indicate the missing documents and instruct the household to submit them immediately. The notice must also indicate that failure to submit all documents on time will result in the issuance of a Notice of Decision – Loss of Eligibility for RGI Assistance. **Do not** send back incomplete packages.

5. Determine if the household is still eligible for their based on the size of the household.

6. Determine if a special needs household continues to be eligible for any special needs modifications or services provided with the unit.

7. Verify that all household members continue to be eligible for RGI. See Chapter 3.

8. Determine monthly income. See Chapter 6. Re-calculate the rent if necessary.
Chapter 7: RGI Reviews

9. Issue a Notice of Decision addressed to each member of the household whose income is taken into consideration when calculating RGI rent. Inform the household of their right to a review of the decision.

When RGI Households Do Not Provide Annual Review Documents

If an RGI household has not submitted their annual review package within the time provided in your notice you must send an immediate follow-up request to the household and make attempts to contact them in-person. The notice must indicate that their annual review information is required to be immediately submitted and if it is not, they will be issued a Notice of Decision – Loss of Eligibility for RGI Assistance.

Note: The City expects housing providers to provide sufficient written notice and to make attempts to contact the household in person in order to obtain all necessary annual review information.

If you have still not received the required information, issue a Notice of Decision – Loss of Eligibility for RGI Assistance to the household.

Note: You must use the City of Toronto's template Notice of Decision – Loss of Eligibility for RGI Assistance form. When issuing a Notice of Decision – Loss of Eligibility for RGI Assistance you must also include the City's Request for Review form.

Communicating With RGI Households

Make sure households know that they should submit their annual income and asset review documents on time. Use various communication tools to get the message out, such as

- leasing interviews or other in-person meetings
- emails and letters
- newsletters
- bulletin boards
- tenant handbooks

Housing providers/RGI Administrators must inform households about

- all current reporting rules
- changes in reporting rules, as soon as possible after they occur

Within reason, an RGI Administrator may extend the household's deadline to provide documents to allow for flexibility and prevent loss of eligibility.
RGI Administrators must not remove eligibility for RGI assistance in the following situations

- A member of an SPP household who believes that they may be at risk of being abused by the abusing individual if they attempt to obtain information or documents must be exempt from providing income documents.

  **Note:** the RGI Administrator should review the exemption periodically.

- An RGI Administrator for an alternative housing provider (those who provide housing to people who are homeless) **may** decide that their residents cannot comply with a time limit for providing documents.

  **Note:** RGI Administrators should exercise the utmost care in making a decision to remove RGI eligibility for not providing documents. **Make sure that you have met face to face with members of a household,** or have discussed getting the documents with family members or support agency staff (with the household’s consent). If all efforts to get the documents fail, then proceed to issue a notice that the household is losing eligibility for RGI assistance. Remember that housing providers may withdraw this notice or reissue it with a new due date.

**Reporting a Change in Income, Assets or Household Composition**

Households must report changes in income, assets or household composition. Households who do not report changes **may** lose their eligibility for RGI assistance.

**Reporting Increase in Income or Assets**

A household receiving RGI assistance must report and provide documents of an increase income or assets of more than $33 per month, within **30 calendar days of the change.**

If there is a change to the household’s RGI rent, you give must the household proper notice.

**Reporting Decrease in Income or Assets**

A household can report a **decrease** in income or assets and submit documents showing the decrease at any time. When this happens, the RGI Administrator must re-calculate the RGI rent and issue the notice to the tenant that their rent will change.
Chapter 7: RGI Reviews

Reporting Changes in Household Composition

A household receiving RGI assistance must report and provide documents for a change in household size within 30 calendar days of the change happening.

If the persons in a household have changed, the household may now be over-housed (see Chapter 4). If an RGI household becomes over-housed you must take the actions outlined in Chapter 4.

Reporting Fluctuating Income

If a household member has fluctuating income, they must report income every three months.

- In the first year, income must be reported within 30 days of the end of each three month period
- The RGI Administrator establishes the reporting schedule
- Once the household has reported 4 times and an annual income has been established, the household must then report annually.

Documents required to verify fluctuating income

- Notice of Assessment for the prior year
- If the fluctuating income is from self-employment, the household must also provide the Statement of Business and Professional Activities.

Note: RGI Administrators must inform household members with fluctuating income that they must file income tax returns annually to maintain their eligibility.

If the household has other sources of income in addition to their fluctuating income, they must continue to report any change to the other income within 30 days of the change happening.

If a household member's income fluctuates in an identical or similar pattern each year, calculate their RGI rent using the annual income of the prior year shown on the Notice of Assessment from Canada Revenue Agency. Examples include individuals who are regularly laid off and rehired in the same type of employment, such as landscapers, crossing guards and contract teachers.

Mid-year Changes in Fluctuating Income

Households may provide new income documents and RGI Administrators must recalculate RGI rent of households with fluctuating income between annual reviews if
Chapter 7: RGI Reviews

- 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 RGI Administrator had recalculated RGI rent. If the actual annual income was higher than the reported income during the same period of time, the RGI Administrator must recover the difference in RGI rent from the household, retroactively if applicable.

**Example**: A teacher is employed on contract. His contracts vary from very short-term to the full school year (10 months). During the summer, he receives Employment Insurance.

In the first year, the RGI Administrator calculated his RGI rent every three months based on income for the previous three months. After the first year, the RGI Administrator calculated his RGI rent using the annual income of the prior year shown on the Notice of Assessment from Canada Revenue Agency.

In September of this year, the teacher received a short term contract ending in October. On October 31, he asks for his RGI rent to be recalculated.

The RGI Administrator determines that, based on his year-to-date income, his income for the current year will not be significantly lower than it was the previous year. So the RGI Administrator decides not to adjust the RGI rent and notifies the household of this decision.

**Reporting Rules for Households with Self-Employment Income**

If a household member is self-employed, they must report income within 30 days of the end of each 3-month period for the first year. The report will be an unaudited financial statement. A household must report annual self-employment income either through an audited financial statement or a Statement of Business and Professional Activities filed with a personal income tax return. Once a household member has reported a full year of self-employment income, do not require the household member to report changes in self-employment income between annual reviews.
Exceptions to Reporting Rules

1. If a household member gives birth to a child in Canada, the household can report the addition to the household at the next annual review.

2. If a household member is 65 years of age or older and has income from pensions or investments only, the household can report changes at the next annual review.

3. If a household member under 65 years of age receives benefit income from the federal or provincial government and the benefit increases by a cost-of-living adjustment, the household can report this increase at any time up to the next annual review.

4. If an alternative housing provider believes that their households cannot comply with the 30-day rule, they may choose not to apply it. The RGI Administrator must apply this discretion consistently to all households.

5. If a household is absent from their unit
   - for medical care, or
   - because the sole resident is in jail awaiting trial, or
   - a bail condition prevents the sole resident's return to the unit,
   - then the household must report the mid-year change and provide documents within 30 calendar days of returning to the unit.
   - This exception applies if the household informs the RGI Administrator of their absence, provides acceptable documentation of the reasons for the absence and provides proof of their return date. See Chapter 3 for more information about medical absences.

6. If a household has an increase in income up to $33 per month, they may report it at the next annual review. If they have more than one increase and these increases result together in an increase of more than $33 per month, the 30-day rule applies.

7. For special needs units, the provider may set a time period greater than 30 days for the receipt of information and documents.

Households Choosing to Be Removed from RGI Assistance

If a household decides not to provide documents for annual or mid-year review, and the household asks the RGI Administrator to charge market rent, the RGI Administrator must issue a Notice of Decision - Loss of Eligibility for RGI Assistance. The reason will be not providing documents for annual review or mid-year change. This ensures that the household does not evade annual or mid-year review and later get RGI assistance under the market renters requesting RGI in their current unit (in-situ) policy (see Chapter 8).
Chapter 7: RGI Reviews

When an RGI Household’s Rent Increases to Maximum Rent (market rent)

The HSA recognizes that households receiving RGI assistance may have difficulty establishing stable incomes. If an RGI household has an increase in income that results in their paying maximum rent, they keep their status as an RGI household for 12 months. This means that RGI assistance is available to them if their income declines and they need RGI assistance within the following 12 months. If this is the case, the RGI assistance must be provided to the household. This household does not have to apply to Access to Housing.

If the household’s income does not decrease during the 12 months, you must issue a Notice of Decision - Loss of Eligibility for RGI Assistance, using the mandatory template form and attaching the City’s Request for Review form. Issue the notice 12 months after you issued the Notice of Decision increasing the RGI rent to maximum rent. In this case, if the household needs RGI assistance again, they must apply to Access to Housing.

The effective date of the Notice of Decision – Loss of Eligibility for RGI Assistance is always 90 days after the Notice is issued. Despite the effective date, if the household income drops after the Notice is issued but prior to the effective date of the Notice, the household will not requalify for RGI as they have still exceeded the 12 month limit for paying market rent.

Note: RGI Administrators must inform households in the Notice of Decision advising them of the increase to market rent and that they will lose their RGI status after 12 months of paying market rent. The notice must advise the household to contact the RGI Administrator if their income decreases during the 12 month period.

RGI Administrators can alert households that they will lose their RGI status after 12 months by sending them a letter 9 months after the original Notice of Decision. The household will then have 3 months to notify you if they have had or will have a reduction in income before the end of the 12 month period.

Example 1: A household has an increase in income effective November 15, 2018. The household informs you of the increase and you give them a notice on December 1 that their RGI rent will increase to the maximum RGI rent (market rent) as of January 1, 2019 (first day of the second month after the increase in income). In mid-October 2019, the household has a reduction in income. They provide new income verification and their RGI rent decreases. The new RGI rent takes effect on November 1, 2019 (first day of the first month after the decrease in income).
Example 2: A household has an increase in income effective November 1, 2018. The household tells you of the increase and you give them a notice that their RGI rent will increase to the market rent as of January 1, 2019.

On January 1, 2020, you issue a Notice of Decision – Loss of Eligibility for RGI Assistance, effective April 1, 2020 (the first day of the month 90 days after the household receives 90 days' notice).

In June 2020, the household has a reduction in income which makes them again eligible for RGI assistance. They must apply to Access to Housing using the date that they signed the original lease or the date they applied to the co-op or non-profit, if this date is available.

Issuing a Notice of Decision

You must notify the household about any RGI decision by sending them a Notice of Decision within 7 business days after making the decision.

Whenever you issue a Notice of Decision, include

- the date of the decision
- the decision
- the effective date of the decision
- the reasons why you made the decision
- information about how to request a review of the decision (if it is eligible for review) and the deadline for requesting it
- the name and phone number of the RGI Administrator so the household can contact them to get more information

Note: a decision that an RGI household is over-housed is subject to the above requirements.

Loss of Eligibility for RGI Assistance

RGI Administrators must use the Notice of Decision - Loss of Eligibility for RGI Assistance form and the Request for Review form found under RGI Forms and Tools when issuing a decision to remove eligibility for RGI assistance.

The RGI Administrator must

- Issue the Notice of Decision (NOD) on the housing provider's letterhead
- Complete the NOD form in full
- Remove any information on the NOD template that does not apply
- Sign the NOD
- Send a copy of the City's Request for Review form with the NOD
Chapter 7: RGI Reviews

Notice of Decision documents must be complete and correct to be considered valid.

RGI Administrators must also complete an LOE Certificate of Service Form stating what date the Notice of Decision was mailed or delivered to the household. This form should be kept in the household's file. A copy of the form can be found under RGI Forms and Tools.

Housing providers must direct requests for review of decisions to remove eligibility for RGI assistance to the City of Toronto, Housing Stability Services (HSS).

When HSS receives a Request for Review, the RGI Administrator is notified and is required to send all documents relevant to the decision to HSS. When the housing provider is notified that a Request for Review has been received, they must suspend the decision until the review body has made a final decision.

The review body decides on the effective date of a review decision to remove eligibility for RGI assistance. The effective date cannot be earlier than the date on which the review body made its decision.

**Rescinding a Loss of Eligibility Notice - Over-housed Household**

After an over-housed household has received a Notice of a Decision that they will be losing their eligibility for RGI assistance, an RGI Administrator must continue to offer suitably sized units until the effective date of the Notice. If the household accepts an offer before the effective date of the Notice, the RGI Administrator must rescind the Notice of Decision once the household has moved to a suitably sized unit.

**Not Issuing or Rescinding a Loss of Eligibility Notice - Extenuating Circumstances**

RGI Administrators can decide

- not to issue a notice of loss of eligibility for RGI assistance in extenuating circumstances
- to rescind a notice of loss of eligibility for RGI assistance in extenuating circumstances

RGI Administrators must consider their "duty to accommodate" under Ontario's Human Rights Code, 1990, when making decisions to issue, not issue or rescind a loss of eligibility notice. If the household has difficulty complying with their obligations because of disabilities, there may be a "duty to accommodate". See Chapter 2 for more information about the duty to accommodate.
Chapter 7: RGI Reviews

A duty to accommodate would be an extenuating circumstance.

**Note:** RGI Administrators must **not** issue a notice of loss of eligibility to
- households whose income decreased and who did not report the decrease, or
- households whose composition changed, if
  - the change had no effect on their eligibility for the unit and
  - the change would not result in an increase in the household’s RGI

RGI Administrators can decide **not** to issue a notice of loss of eligibility due to failure to report mid-year changes in income in some circumstances. As an alternative, an RGI Administrator could enter into a repayment plan to recover a retroactive increase in RGI rent that occurred because of late reporting.

Keep written documentation that clearly shows the extenuating circumstances.

**Rescinding a Loss of Eligibility Decision before the Effective Date**

The following are examples of situations in which a RGI Administrator **must** decide to rescind a notice of loss of eligibility for RGI assistance before the effective date.

- **Household loses eligibility because a person in the household is not a legal resident in Canada.** If the RGI Administrator is satisfied that the person has left the household, or, the household provides documents to show that the person is now a legal resident in Canada, the RGI Administrator **must** rescind the notice.
- **Household loses eligibility because they did not submit annual review documents on time.** The RGI Administrator **must** rescind the notice when they receive the documents.
- **Household loses eligibility because they did not report a mid-year increase in income within 30 calendar days.** The RGI Administrator **must** rescind the notice when they receive the documents and must implement a mid-year change in RGI rent.
- **Household loses eligibility because they did not try to obtain income.** The RGI Administrator **must** rescind this notice if the household
  - provides documents for income received, or
  - within the time frame specified by the RGI Administrator (should be at least 60 days), provides evidence that they applied for the income but their application was denied
**Rescinding a Loss of Eligibility Decision after the Effective Date**

If you have determined that there are extenuating circumstances, rescind the notice. Extenuating circumstances may be because of a "duty to accommodate" but they could be for other reasons.

**Note:** If an RGI household has paid market rent for 12 months because their income increased, RGI Administrators **must** issue a Notice of Decision - Loss of Eligibility for RGI Assistance. RGI Administrators may not rescind this notice. To get RGI assistance again, the household must apply to Access to Housing. Their application would be backdated to the date they originally applied to the housing provider.

A Loss of Eligibility (LOE) after the household has paid market rent for 12 months is the only type of LOE where the household qualifies to have their application backdated.

If an RGI Administrator decides to rescind a notice of loss of eligibility for RGI assistance, a retroactive rent adjustment may be necessary.

**Example of rescinding a Notice of Decision – Loss of Eligibility for RGI Assistance**

- The RGI Administrator notified a household that they are over-housed on January 10, 2018.
- Between January 30 and June 30, the RGI Administrator offered the household 3 units. They refused all 3 offers.
- On July 10, 2018 the RGI Administrator sent the household a Notice of Decision – Loss of Eligibility for RGI Assistance stating that the household will lose their eligibility for RGI assistance on February 1, 2019 (12 months after the RGI Administrator notified the household that they are over-housed).
- On September 30, 2018, the RGI Administrator offers them a unit and they accept.
- They move into the unit on December 1, 2018.
- The RGI Administrator sends the household a letter stating that the Notice of Decision – Loss of Eligibility for RGI Assistance is rescinded.

If the household was on the CWL, the RGI Administrator must inform Access to Housing that the Notice of Decision has been rescinded.
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Effective Dates of Decisions

Notice of an increase because of an increase in income or assets – after Annual Review

If an RGI household has an increase in assets or income, the increase in rent is effective on the first day of the second month after the household is given notice.

For example
- if a household is given a notice of an increase on October 1, the increase will take effect on December 1
- if a household is given the notice on October 23, the increase will take effect on December 1

Notice of decrease because of a decrease in income or assets – after Annual Review

If an RGI household has a decrease in assets or income, the decrease in rent is effective on the first day of the first month after the household is given notice.

For example
- If a household receives a notice of decrease on October 1, the decrease will take effect on November 1.
- If a household receives a notice of decrease on October 23, the decrease will take effect on November 1.

Notice when a household is no longer eligible for RGI assistance – after Annual Review (not an increase or decrease in RGI rent)

If a household is no longer eligible for RGI assistance, the notice is effective on the first day of the month 90 days after you issue the notice.

For example
- During the annual review, you find that one of the household members is not legally residing in Canada. You give the RGI household a notice on November 1 that they are no longer eligible for RGI assistance. The household's rent will increase to market rent on February 1.
- You gave an RGI household notice on November 23 that they are no longer eligible for RGI assistance because they did not provide proper documents for the annual review. Their rent will increase to market rent on March 1.
Note: When you decide that a household is no longer eligible for RGI, you must give the household a notice of the decision within seven business days.

**Notice After a Mid-year Change**

For mid-year changes in income, the effective date depends on the date of the change in income.

If, on an annual review, you discover that the household did not tell you about a mid-year change in income (more than $33 per month), you must make a retroactive adjustment.

**Notice of an increase – Mid-year**

An increase is effective on the first day of the second month following the change.

**Notice of a decrease – Mid-year**

A decrease is effective on the first day of the first month following the change. For example, if a household has a change in income on October 15, the decrease takes effect on November 1. A decrease in rent can be retroactive.

**Notice when a household is no longer eligible for RGI – Mid-year** (not an increase or decrease in RGI rent)

If a household is no longer eligible for RGI assistance, the RGI Administrator must issue a Notice of Decision - Loss of Eligibility for RGI Assistance. The increase takes effect on the first day of the month 90 days after the notice of the decision is given.

For example

- You give an RGI household a notice on November 1 that they are no longer eligible for RGI assistance because of a five month absence. Their rent will increase to market rent on February 1st.

**Notice after a Change in Policy**

An RGI Administrator for a co-op must give a household at least 60 days' notice if the rent increases because of a change in

- parking fees, sector support, cable or other charges; or
- the policy of the housing provider, the City of Toronto, or the province.
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The household pays the increased rent on the first day of the month following the 60-day notice. For example, if the co-op increases the amount of sector support payable and you send notices to every household in the co-op (RGI and market) on December 1\textsuperscript{st}. The increase would begin on February 1\textsuperscript{st}.

All RGI Administrators other than co-ops must give household at least 90 days' notice if the rent increases because of a change in
- parking fees, cable or other charges; or
- the policy of the RGI Administrator, the City of Toronto, or the province.

The household pays the increased rent on the first day of the month following the 90-day notice. For example, if the province increases the amount of a utility charge, you send notices to all RGI households on December 1\textsuperscript{st}; the increase would begin on March 1\textsuperscript{st}.

**Summary of Notice Periods after an RGI Review**

*Table 12: Effective Dates for RGI Rent Increases or Decreases*

<table>
<thead>
<tr>
<th>Effective Dates/ Notice Periods for:</th>
<th>Annual Review</th>
<th>Mid-year Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase due to change of income</td>
<td>1\textsuperscript{st} day of 2\textsuperscript{nd} month after the household receives notice of decision to increase rent</td>
<td>1\textsuperscript{st} day of 2\textsuperscript{nd} month after the change occurred</td>
</tr>
<tr>
<td>Decrease due to change of income</td>
<td>1\textsuperscript{st} day of the month after the household receives notice of decision to decrease rent</td>
<td>1\textsuperscript{st} day of the month after the change occurred</td>
</tr>
</tbody>
</table>

When making a decision to remove eligibility for RGI assistance, RGI Administrators must always use the City of Toronto's form entitled Notice of Decision - Loss of Eligibility for Rent- Geared-to-Income (RGI) Assistance. The Notice of Decision - Loss of Eligibility for RGI Assistance form and the required Request for Review Form are available for download from the [RGI Administration Manual](#) webpage, listed under "RGI Forms and Tools".
When a Household Is No Longer Eligible for a Special Needs Unit

A household is no longer eligible for a special needs unit if the household no longer includes at least one household member who
- needs the special needs modifications of the unit, or
- needs the support services that are provided with the unit (if they are unit specific)

This most commonly occurs when a household member who needed unit modifications no longer resides in the unit (due to move-out or death).

The Housing Services Act does not specify consequences for a household who no longer needs special needs housing. However, under the Residential Tenancies Act, s.58 (1)2, a household may be evicted if they have "ceased to meet the qualifications required for occupancy of the rental unit".

The housing provider must work with the household to move to a non-special needs unit as soon as possible. You can facilitate this process by making households who need to move from a special needs unit a priority in your internal transfer policy. The RGI Administrator must inform the household that they may be evicted if they do not move from the unit.

Review of Decisions

The Housing Services Act, s. 155-156, requires the City of Toronto, as Service - Manager, to have a system under which households can request reviews of decisions about the RGI program.

Under the City's review system
- Housing Stability Services reviews decisions to remove eligibility for RGI assistance
- Access to Housing reviews waiting list related decisions.
- Housing providers conduct their own internal reviews of all other decisions related to RGI assistance.
Chapter 7: RGI Reviews

A household can ask for a review of these types of decisions
- eligibility for RGI assistance (initial eligibility criteria or those applying to resident households) – see Chapter 3
- size and type of unit that a household is eligible for (most common - is the household eligible for unit they occupy or are they over-housed under Local Occupancy Standards) – see Chapter 4
- priority category (for internal transfer) – see Chapter 8
- amount of RGI rent payable – see Chapter 6
- eligibility for special needs housing – see Chapter 3

Requirements for RGI review processes include
- no one who participated in the original decision may participate in the review as a member of the review body
- members of the review body must be knowledgeable about the relevant provisions of the HSA and its regulations
- no one who discussed the decision with the decision maker may participate in the review as a member of the review body
- no member of the review body may discuss the decision with the decision maker except during the course of the review

For reviews of all decisions except eligibility for RGI, housing providers must designate staff, board, committee or broader community members as members of an internal review body. Housing providers may also enter into agreements to carry out reviews on each other's behalf or to have another organization carry out the reviews. Housing providers must not pay individuals for their membership on their review body.

Housing providers **must** conduct procedurally fair reviews. Housing providers must establish board approved procedural rules for reviews, which must include
- A full explanation provided to the household of the reasons why the RGI Administrator made the original decision.
- An opportunity for the household to attend a hearing in person.
- An opportunity for the household to bring a translator to the hearing.
- An opportunity for the household to bring another person to the hearing (a family member, friend, advocate or support worker).
- A full explanation provided to the household of the reasons why the review body made their decision.
Housing providers must accept internal review requests received up to 30 calendar days after the day the RGI Administrator issued the notice of decision. They may accept review requests after the 30 day period.

RGI Administrators must schedule and complete a review within 30 calendar days of receiving the request. If a household requests that the hearing be delayed, the RGI Administrator will reschedule the hearing within the original 30 day period.

If the RGI Administrator is satisfied that extenuating circumstances make it impossible for the RGI household to attend a hearing within this timeframe, the date for hearing and completing the review may be extended.

The housing provider/RGI Administrator must give written notice of the review decision within 10 calendar days after the review is completed.

The internal review body must issue the review decision to the person who requested the review and to the person who made the decision that was reviewed.

The decision of the review body is final.

Table 13: Effective Dates after a Review Body Decision about RGI Rent

<table>
<thead>
<tr>
<th>Original Decision</th>
<th>Decision from the Review Body</th>
<th>Effective Date for Review Body Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decrease RGI rent</td>
<td>No change of rent from the rent that was charged prior to the mid-year or annual review</td>
<td>The rent will stay the same as it was prior to the original notice of decision regarding the change in rent. The original notice of decision is rescinded through review decision.</td>
</tr>
<tr>
<td>Decrease RGI rent</td>
<td>Decrease RGI rent by the same amount as original decision or a different amount</td>
<td>For annual reviews: Date given in original decision (first day of the month after the decision is issued) For mid-year reviews: 1st day of the month after the change occurred</td>
</tr>
</tbody>
</table>
# Chapter 7: RGI Reviews

<table>
<thead>
<tr>
<th>Original Decision</th>
<th>Decision from the Review Body</th>
<th>Effective Date for Review Body Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decrease RGI rent</td>
<td>Increase RGI rent</td>
<td>First day of the month after the review body issues its decision.</td>
</tr>
<tr>
<td>Increase RGI rent</td>
<td>No change of rent from the rent that was charged prior to the mid-year or annual review</td>
<td>The rent will stay the same as it was prior to the original notice of decision regarding the change in rent. The original notice of decision is rescinded through review decision.</td>
</tr>
</tbody>
</table>
| Increase RGI rent | Increase RGI rent by the same amount as original decision or by a lesser amount | **For annual reviews:** Date given in original decision (first day of the second month after the decision is issued)  
**For mid-year reviews:** 1st day of the second month after the change occurred |
| Increase RGI rent | Increase RGI rent by a greater amount, where the original decision was the result of administrative error | The later of:  
- first day of the month after the review body issues its decision  
**OR**  
- **for annual reviews:** the date given in the original decision (first day of the second month after the decision is issued)  
- **for mid-year reviews:** the 1st day of the second month after the change occurred |
Chapter 7: RGI Reviews

<table>
<thead>
<tr>
<th>Original Decision</th>
<th>Decision from the Review Body</th>
<th>Effective Date for Review Body Decision</th>
</tr>
</thead>
</table>
| Increase RGI rent  | Increase RGI rent by a greater amount, where the original decision was not the result of administrative error | **For annual reviews:**  
Date given in original decision (first day of the second month after the decision is issued)  
**For mid-year reviews:**  
1st day of the second month after the change occurred |
| Increase RGI rent  | Decrease RGI rent               | **For annual reviews:**  
First day of the month after the RGI Administrator issued the original annual review decision  
**For mid-year reviews:**  
First day of the month after the decrease in income |

**Examples after a Review of an Annual Review Decision to Change RGI Rent**

**Increase to greater increase**

An RGI household is given a notice on September 1 that their rent will increase as of November 1. They request a review. The review body decides on a greater increase. The review body gives the notice of this final decision to the household on September 21. The greater increase would be effective November 1 (the first day of the second month after the annual review decision).

**Increase to decrease**

An RGI household is given a notice on September 1 that their rent will increase as of November 1. They request a review. The review body decides on a decrease to the rent. The review body gives the notice of this final decision to the household on September 21. The decrease would be effective on October 1 (first day of the month after the decrease in income).
Decrease to greater decrease

An RGI household is given a notice on September 1 that their rent will decrease as of October 1. They request a review. The review body decides on a greater decrease. The review body gives the notice of this final decision to the household on September 21. The greater decrease would be effective on October 1 (the date given in the original decision).

Examples after a Review of a Mid-year Decision to Change RGI Rent

Increase to a greater increase

An RGI household informed you that they had an increase in income on November 1st. The household provided documents on November 10th. You gave them a notice on November 21st that informed them of an increase in their rent effective January 1st. They requested a review on November 22nd. The review body decided on a higher increase. You gave the notice of this final decision to the household on November 28th. The greater increase would be effective on January 1st (1st day of the second month after the change in income occurred).

Increase to decrease

An RGI household informed you that they had an increase in income on November 1st. You gave them a notice on December 5th that informed them of an increase in their rent effective February 1st. They requested a review on December 10th. The review body decided to decrease the rent. You gave the notice of this final decision to the household on December 21st. The decrease would be effective on December 1st (first day of the month after the decrease in income occurred).

Decrease to increase

An RGI household informed you that they had a decrease in income as of November 1st. They provided documents on November 10th. You gave them a notice on November 20th that told them of a decrease in their rent effective December 1st. They requested a review on November 30th. The review body decided on an increase. You gave the notice of this final decision to the household on December 15th. The increase would be effective on January 1st (first day of the month after the review body issues its decision).

Decrease to greater decrease

An RGI household informed you that they had a decrease in income on November 1st. They provided documents on November 10th. You gave them a notice on November 20th that told them of a decrease in their rent effective December 1st. They request a review on December 10th. The review body decided on a greater decrease. You gave
the notice of this final decision to the household on December 21st. The greater decrease would be effective on December 1st (1st day of the month after the change in income occurred).
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Processes for Filling Vacancies and Allocating RGI Assistance

The process to fill vacancies and allocate RGI assistance is critical to the effective administration of the RGI program. This process is often referred to as waiting list management and is detailed in the City’s online Waiting List Management course. This chapter provides an overview of these important processes.

There are three key processes involved in filling an RGI vacancy, and/or providing an RGI subsidy:

1. **Filling vacancies using an internal transfer list:** This is when an RGI household is on an internal waiting list, maintained by a housing provider, and moves to a different unit within the same housing provider’s portfolio. This process does not involve issuing a new RGI subsidy.

2. **Filling vacancies from the Centralized Waiting List (CWL):** RGI subsidies are offered to applicants who are on the CWL, using the City’s online vacancy management system, managed by Access to Housing.

3. **Market households requesting subsidy in their current unit (in-situ):** Market households living in social housing may request RGI in their current unit; this is called an in-situ RGI subsidy. Housing providers can only offer market households an RGI subsidy under limited conditions, outlined in the in-situ section of this chapter.

   **Note:** The process of filling market units is not covered in this manual as this process is not governed by the HSA.

In order to fully understand how to allocate RGI assistance, RGI Administrators must have an understanding of several related concepts, including:

- Targeting plans
- Mandates (see Chapter 3)
- Over-housed households (see Chapter 4)
- The Special Priority Program (SPP) (see Chapter 3)
- The Province-Wide Arrears Database (PWAD) (see Chapter 10)

**Targeting Plans**

Every HSA Part VII housing provider has a targeting plan for each of its buildings which details the required **minimum** number of units for:

- RGI households
- market rent households, if any, and
- special needs (modified units and/or support services) households, if any
Housing providers must maintain the targets in the targeting plan and must report on their compliance in the Quarterly Vacancy and Arrears report and the Annual Information Return (AIR).

Failure to comply with targeting plan requirements will cause a housing provider to be deemed "not in good standing" in accordance with City Guideline 2013-3, which can result in serious financial consequences.

**Targeting Plans by Housing Provider Type**

**Housing Providers with Both Market and RGI Units**

HSA Part VII housing providers with a mix of market and RGI units, have a targeting plan that states

- a minimum percentage of units that must be RGI
- a minimum percentage of units that must be market

Housing providers should maintain more than the minimum target for RGI units at all times to ensure they never fall below the minimum RGI target.

**Alternative Providers - 100% RGI**

HSA Part VII, 100% RGI housing providers are sometimes called alternative housing providers and maintain 100% of their units as RGI. Alternative providers follow their board-approved Access Plan. These access plans must be on file with HSS.

**Rent Supplement Providers**

Housing providers who administer a Rent Supplement Agreement do not have a targeting plan. The maximum number of rent supplement (RGI) units that the City will subsidize is specified in the Agreement.

**Remaining on Target**

RGI Administrators should check their targeting plan when they have a vacancy or are planning to offer RGI to a current market rent household. By checking the targeting plan regularly RGI Administrators will always know if they are on target and it will assist in determining if a vacancy should go to an RGI or market household.

**Mandates**

A mandate is an approved plan for a housing provider to exclusively house a particular population of people. If a building has been assigned a mandate, households who apply...
for RGI units in this building must include at least one person who qualifies for the mandate.

When an applicant wishes to select a preference on the CWL for a building with a mandate

1. The household must contact the housing provider with the mandate to confirm that they are eligible.
2. If the housing provider confirms their eligibility, through their signature on the Confirmation of Eligibility for Mandate form, the household must complete and return the form to Access to Housing.
3. Upon receipt of a completed form Access to Housing places the applicant on the housing provider's subsidiary waiting list.

If a housing provider has a mandate and the RGI Administrator determines that a household on the housing provider's subsidiary waiting list is no longer eligible for the mandate the RGI Administrator must inform Access to Housing and they will remove the household from the subsidiary waiting list.

Applicants may have listed a preference for the housing provider before a mandate was established. In this case, Access to Housing advises the applicant to contact the housing provider and complete and submit the Confirmation of Eligibility for Mandate form.

**Referral Agreements**

Some housing providers use referral agreements to provide access to some or all of their units, rather than using the CWL. These providers must follow their approved access plan to fill their units.

Unless you are an alternative housing provider, units being filled through referral agreements must be posted to the CWL once the offer has been accepted. If the household is not already on the CWL, they must complete an application and then be linked to the vacancy. The RGI Administrator must note in the Comment section of the offer page that the offer was made through a referral and must name the referring organization.

Housing providers may enter into new agency referral agreements only for households requiring support services to live independently. Housing providers must submit their proposed referral agreements to their Housing Consultant for approval.
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Over-housed Households

An RGI household immediately becomes over-housed if a household member leaves the unit and, as a result, the household has more bedrooms than the City's Local Occupancy Standards allow. Chapter 4 of the RGI Administration Manual details what the City's Local Occupancy Standards are and how RGI Administrators must address these occurrences.

The Special Priority Program (SPP)

The Special Priority Program (SPP) is provincially legislated and provides a designation for households with current or recent experience of domestic abuse or human trafficking. This designation gives applicants priority access to RGI housing and portable housing benefits.

A household may apply for SPP if a member of the household is being
- abused by someone they live with or have recently lived with
- abused by a person who has sponsored the member as an immigrant; or
- has been trafficked

Households with an SPP designation go to the top of all RGI waiting lists, including the CWL, special needs waiting lists and internal transfer lists. However, the abused household member must intend to live permanently apart from the abuser.

Eligibility for SPP is determined by Access to Housing. All applicants requesting SPP, including internal transfers, must submit a Special Priority Application form to Access to Housing along with supporting documentation. The Special Priority Application form can be found on the City's website.

An applicant maintains their SPP designation until they are housed.

Making an Offer of RGI Assistance

The Steps for Making an Offer

When an RGI Administrator has an RGI vacancy or RGI subsidy to offer a household, they must

1. Determine which list the household should selected from
   - The internal transfer list
   - The subsidiary list on the CWL
   - The Applicants Using Your Address (AUYA) report for market households requesting RGI in their current unit (in-situ)
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- List from a referral agreement, if applicable
- List from your City approved Access Plan, if applicable

2. Identify the household at the top of the appropriate list.
   - The RGI Administrator is responsible for prioritizing their internal transfer list following the legislative requirements and Local Access priorities
   - The order on the CWL and on the AUYA report is established by Access to Housing and that order must be followed.
   - For referral agreements the referring agency prioritizes and recommends households to the housing provider in accordance with their referral agreement and the requirements of the HSA.
   - According to their City approved Access Plan.

3. Contact the top person on the appropriate list.
   - If the RGI Administrator cannot reach the household directly, they must call every number provided in the applicant household's file.

4. If the household cannot be reached, leave a message if possible, and include the details of the offer, the RGI Administrator's contact information, and a timeline to return the call.
   - Households must be provided two business days, from the time of the first call to them, to make contact.
     - At least two attempts to reach the household must be made over two business days.
     - Always provide clear expectations and specific timelines in communications with the household.
     - After two business days with no contact, record the offer as withdrawn and move on to the next household on the list.

5. If the household is reached but they do not accept the offer, then record the reason and move on to the next household.
   - Refusals and withdrawals will be covered later in this chapter.

6. If the household is interested in the offer, proceed to
   - show the household the unit (not applicable to in-situ offers)
   - verify the household's RGI eligibility (not applicable to internal transfers)
   - for eligible households, co-ordinate execution of the lease or RGI agreement

7. For all RGI subsidy offers, link the offer to the household on the CWL and change the household status to accepted, refused or withdrawn.

   **Note:** RGI Administrators must accurately document the entire offer process in the applicant household's file and/or on the CWL under the Comments section of the offer page.
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Filling Units through a Referral Agreement or Using an Access Plan

The waiting lists for units filled through referral or approved Access Plan may be kept by the provider or the referring agency, however the basic offer process remains the same. Although the RGI Administrator may not have used the CWL for these offers, they must still inform Access to Housing of any accepted, refused or withdrawn RGI subsidy offers as these households may be on the CWL and their file must be updated.

If a household accepted an offer through a referral agreement or Access Plan, the following information should be emailed to Access to Housing

- name of the household
- referring agency / source
- unit # and address of the accepted unit
- date the household signed an RGI lease

For referral agreements, once the household has accepted the offer, the RGI Administrator must work with the referring organization to get the household on the CWL by completing an RGI application. The RGI Administrator must then post the vacancy to the CWL and link the household to the vacancy, then change the household status to 'accepted'. Access to Housing will support RGI Administrators in linking these households to the vacancy. The RGI Administrator must document in the Comments section of the offer page that the household was housed through a referral agreement, and should list the name of the referring agency.

Contacting an Applicant Household

The RGI Administrator contacts the applicant household using their main contact phone number.

If the RGI Administrator reaches the household, or there is a voicemail, the RGI Administrator must

- provide the details of the unit that is being offering, including the building address (not applicable to in-situ households)
- inform the contact that a subsidy is being offered (for in-situ only)
- provide the RGI Administrator's contact information
- inform the household that they have two business days to respond
- keep detailed records of your contacts with the household

If the RGI Administrator is unable to reach the household, they must call all contact numbers. If the RGI Administrator reaches someone at one of the other numbers they
must confirm that the person is able to contact the household within the two day timeline. If this is confirmed, then the RGI Administrator must

- find out the name, contact information and general relationship of the person who they are speaking with
- provide the details of the unit that is being offering to the household on the application, including the building address (not applicable to in-situ households)
- inform the contact that a subsidy is being offered (for in-situ only)
- provide the RGI Administrator’s contact information
- inform the contact that the household has two business days to respond

**Note:** RGI Administrators should inform the contact person that if they are unable to reach the household within the two business days, the contact should let the RGI Administrator know so the offer will not be counted as a refusal by the household.

If the RGI Administrator does not reach the applicant household directly on the first attempt, they must make at least one additional attempt to contact the household.

**Note:** If an RGI Administrator discovers that the contact information on the CWL is out of date, or the household no longer requires housing or a subsidy, the RGI Administrator should email Access to Housing and advise them that the contact information is out of data.

To be considered valid an offer must provide the applicant household with the unit and building details, a contact number for the RGI Administrator, and a timeline of two business days to respond to the offer. Voicemail messages do not count as valid offers or as a valid contact with the household.

**Documenting the Offer Process**

All attempted and successful communications with households being offered housing and/or an RGI subsidy must be carefully documented.

Documentation for offers on the CWL must be kept under the Comments section of the offer page, not in the Vacancy Call Log. Documentation for all other offers must be kept by the housing provider in the household’s file.
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Documentation should be detailed but brief, and must include
- the time and date of the communication
- a list of all numbers that were called, and the results of each call
- who was spoken with, if anyone, and at which number
- if no one was reached, an indication if a voice message was left or not
- what information was provided, directly or on voicemail
- any responses or comments by the person who was spoken with, if applicable
- stated or agreed upon timelines, and expectations for next steps

Note: Documentation of attempted or successful contacts with a household should not include personal opinions, rent documentation or calculations, or non-relevant personal information.

Offer Withdrawals and Refusals

All applicants on the CWL were screened by Access to Housing for eligibility at the time of their initial application. Access to Housing prioritizes the eligible households on each subsidiary list by legislated and local access priorities, and by the date of the application.

Applicant households are responsible for updating their information and their preferred housing selections in their file. Therefore all households on a housing provider's subsidiary list should qualify for RGI and the unit size listed, and should be interested in living in the housing provider's building.

Offer Withdrawal

Reasons an offer is considered a withdrawal include
- the RGI Administrator was not able to speak directly to the applicant household or one of their contacts who states that they will be able to reach the household within the two day requirement
- the unit being offered did not meet the accessibility needs of the applicant household (medical documentation is required)
- the household composition changed and the household no longer qualifies for the size of unit being offered
- there are unresolved social housing arrears
- the household income is above the RGI threshold
- an over-housed household is offered the exact same unit twice; the second unaccepted offer is counted as a withdrawal
- a housing representative or building superintendent fails to greet the applicant to show the unit
- the housing provider refuses to offer the unit to the household
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**Note:** If an RGI Administrator is told that the household no longer requires housing because the applicant is deceased or has moved to a nursing home, the offer should be withdrawn and an email should be sent to Access to Housing asking them to confirm the information.

For SPP households, if at the time of viewing the unit, the applicant spotted the abuser or someone connected to the abuser in the area, or becomes aware that the abuser lives in the area, the offer may be counted as a withdrawal. The RGI Administrator should document this reason in the household's file and/or on the CWL.

**Unable to Speak With Applicant Household**

The RGI Administrator must speak directly to the applicant household or one of the contacts listed in their application who states that they will be able to reach the household within the two day requirement for an offer to be considered valid. If there is no direct contact within two business days and two attempts, calling all phone numbers provided, then the offer must be withdrawn. Voicemail messages are not considered direct contact with the household.

If the RGI Administrator suspects that the contact information is out of date or incorrect, the RGI Administrator should note this in the Comments box of the household's offer page and email Access to Housing who will address it. RGI Administrators are not permitted to bypass these households and must document all attempts to contact the household.

**Unit Did Not Meet Accessibility Needs**

Applicants must state their accessibility needs directly on their file, and must be able to provide medical documentation supporting their requirements if requested.

**Note:** Requests that are preferences (for example, the household would prefer to live on the south side of the building) rather than medical or accessibility issues are not considered requirements. Therefore, unaccepted offers because of preferences are considered refusals, even if the household has documented their preferences in their CWL application.

Access to Housing requires applicants who need a wheelchair accessible unit to complete a Modified Unit form. If the unit being offered does not have the modifications documented on the applicant's Modified Unit form, then the offer must be recorded as a withdrawal.
The Household No Longer Qualifies for the Size of Unit Being Offered

If a household's composition changed and the household no longer meets the Local Occupancy Standards for the unit size being offered, the RGI Administrator will not be able to complete the offer and therefore the offer must be recorded as a withdrawal.

Unresolved Social Housing Arrears

For all offers of RGI subsidy, RGI Administrators must check the Province-Wide Arrears Database (PWAD) to determine if any household members have arrears owing to other social housing providers. Chapter 10 of the RGI Administration Manual provides more information on checking, verifying and uploading social housing arrears.

If the applicant does have arrears, the RGI Administrator must contact the household and inform them that they have 5 business days from the time of the first contact with RGI Administrator to resolve the arrears. Arrears can be resolved by paying off the arrears or by setting up a repayment plan and maintaining it in good standing.

If the arrears are resolved, the RGI Administrator can proceed with the offer. If the arrears are confirmed but are not resolved within the required timeline, the offer should be counted as a withdrawal.

Household Income Is Above the RGI Threshold

If the household has applied for an RGI unit but when the unit is offered, the RGI Administrator determines that their income is too high to be eligible for RGI, the offer must be recorded as a withdrawal. This most often happens when the RGI rent for a household is above the market rent for the housing provider making the offer, but their income is below the Household Income Limits used by Access to Housing to determine RGI eligibility on the CWL.

The RGI Administrator must email Access to Housing to inform them that the household is currently over the income threshold for RGI.

Offering the Same Unit More Than Once

RGI Administrators may offer an over-housed household the same unit more than once, but they must only record a household's refusal of the same unit once. Subsequent refusals by the household of that same unit must be recorded as withdrawals.

Housing Provider Does Not Attend a Scheduled Viewing

If housing provider staff does not attend a scheduled viewing appointment with a household and the household is not able or willing to reschedule, the offer must be recorded as a withdrawal.
Housing Provider Refusal to Offer a Unit

If an RGI Administrator refuses to offer a unit to an applicant household, the refusal must be on allowable grounds and the notice of refusal must be in writing. An RGI Administrator’s refusal to offer a unit must be recorded as a withdrawal. An RGI Administrator may only refuse to offer an RGI unit to a household if

- the applicant does not qualify under the eligibility criteria
- the applicant's income is too high to qualify for RGI assistance
- the applicant does not currently meet the building’s mandate
- there are reasonable grounds to believe that the applicant will not pay the rent in full or on time; this decision must be based on a rental history check, not a credit check
- the unit is a shared unit and the RGI Administrator believes that the applicant is not suitable
- the RGI Administrator represents a co-operative housing provider and the co-operative has reasonable grounds to believe that the household will not accept, or will be unable to accept, their responsibilities as a member of the co-operative

An RGI Administrator may also refuse to offer an RGI unit to a household if the applicant or a member of the applicant's household was previously evicted by the housing provider who has the vacant unit on offer, based on a defined illegal act (see Chapter 3).

An RGI Administrator cannot refuse to offer a unit to a household who cannot pay a security deposit or last month’s rent if the household agrees to a reasonable payment plan.

For a special needs household, the RGI Administrator may also refuse to offer a unit when the level of support services that are provided is significantly greater or significantly less than the level of support services required by the applicant household.

Housing Provider Procedures for Refusing to Offer a Unit

If an RGI Administrator decides not to offer a unit to an applicant, the RGI Administrator must

- issue a written Notice of Decision – Refusal to Offer to the applicant household within 10 days of offering the unit to another household
- record the offer as a withdrawal for the household, including the reason the RGI Administrator refused to offer the unit
- contact Access to Housing if the household must be removed from the building’s subsidiary waiting list
**Review of Refusal to Offer a Unit**

An applicant household may make a written request for a review of a decision to refuse to offer a unit to them within 30 calendar days of the notice being issued. RGI Administrators must complete this review within 30 calendar days and give the applicant written notice of the final decision within 10 calendar days after the decision is made.

Chapter 7 of the RGI Administration Manual provides additional information on all review processes and requirements.

**Offer Refusals**

A household is considered to have refused an offer if

- they indicate that they no longer need housing
- the household's application is incorrect or out of date
- the household would prefer a different unit or building
- the household does not want to, or is unable to, move right now
- the household is unable to view the unit
- the household is not interested
- the household does not follow up after the first contact or does not show up for a viewing or scheduled appointment

The reason for the refusal must be clear.

**Household No Longer Requires Housing**

If a household states that they no longer need RGI subsidy, the RGI Administrator must document this in the vacancy management system and email Access to Housing so that they can verify the information and update or remove the file.

**Note:** If a household is receiving a housing allowance, they may still qualify for RGI but must inform the Province once they begin receiving RGI so that the housing allowance can be cancelled. A person cannot be in receipt of both an RGI subsidy and housing allowance at the same time.

**Household Application Is Incorrect or Out of Date**

It is the responsibility of the household to update their CWL application.

If the household composition has changed and they no longer qualify for the unit size being offered, it is always counted as a withdrawal, unless there are exceptional circumstances (for example, an illness or new baby).
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Note: If a household requires assistance from Access to Housing during an offer process, it is recommended that the housing provider also contact Access to Housing to inform them of the urgency of the household's request due to the current housing offer.

RGI Administrators must not hold offers for households while they update their file.

Household Prefers a Different Unit or Building
Households should be informed during the offer process that preferences are not guaranteed and that an offer that does not satisfy their preferences and is refused by the household will be counted as a refusal, unless these preferences are for documented medical reasons.

Household Does Not Want to or Is Unable to Move Right Now
If a household is unable or does not want to move the offer is considered a refusal. If they refuse the offer for medical reasons, they should be instructed to contact Access to Housing to have their file status put on "inactive – not able to move".

A household may not want to move due to financial reasons. The RGI program does not provide funding for moving costs, therefore RGI Administrators should refer the household to a housing help centre to support the household in identifying potential available funding to assist with some of these expenses.

Household Unavailable to View the Unit
If a household says they are interested in a unit but are not able to view the unit in the timeline provided, the offer is considered a refusal. The household may choose to send a third party (family or friend) to view the unit on their behalf.

Household Is Not Interested
If a household indicates that they are not interested in the unit, this is considered a refusal.

Household Does Not Follow Up
If a household fails to call or attend a scheduled viewing or meeting the offer is considered a refusal, unless the household provides a legitimate reason for missing a scheduled appointment.
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Documenting a Refusal

If a household refuses RGI assistance and they are not on the CWL, this must be confirmed in writing to the household. The RGI Administrator must also provide written confirmation of refusals of offers to over-housed RGI households.

Documenting an Accepted Offer

If a household accepts an offer through the CWL, they must have their status on the offer page changed to "Verbal Acceptance" when they state their interest, and "Accepted" once they have signed the lease.

If the offer was a market household requesting RGI in their current unit, then the household's unit must be posted to the CWL and the household must be linked to the vacancy, with the status changed to "Accepted". The Comments section of the offer page must state that this was an in-situ RGI subsidy and include the details of the approval given by Housing Stability Services.

If the household received an internal transfer, the documentation of the offer should be placed in the household's file, and if the household was over-housed and on the CWL, the RGI Administrator must inform Access to Housing.

Filling Vacancies Using an Internal Transfer List

The internal transfer list is for RGI households who want to transfer to another unit within their current housing provider's portfolio or who must transfer to another unit because they are over-housed. Every housing provider must have an internal transfer policy.

When to Use the Internal Transfer List

The RGI Administrator must reference the internal transfer list when there is a vacant unit. They check the internal transfer list and transfer households following required priorities.

Once all priority transfers are completed, the RGI Administrator must refer to their internal transfer policy and targeting plan to determine how to fill the remaining vacancy.

Required Priorities for Internal Transfer Lists

Housing providers' internal transfer list for resident RGI households must be ranked as follows

1. Special priority program (SPP)
2. over-housed
3. other (not required)
An internal transfer policy may state that the housing provider will not accept transfer requests beyond the priorities listed above, such as requests for a different location in the building.

**Organizing an Internal Transfer List**

RGI Administrators must organize their internal transfer list by:

- the number of bedrooms required by the household
- any priority designations the household may have
- the date the household was added to the internal transfer list

**Requests for Internal Transfers**

Any RGI household can apply for an internal transfer, if a housing provider’s policy allows. Housing providers must share their internal transfer policy with all households at the time of lease signing.

All members of an RGI household must apply for a transfer; it is not possible for only part of an RGI household to apply for a transfer.

If one or more members of an RGI household wish to leave that household and create a second household they must apply to Access to Housing. Their application will be treated as a new application with a new application date.

For example, an RGI household has 4 members - the two parents, their daughter, and her baby. The daughter decides to move out with her baby and form a new household. Her application will receive a new date, not the date of her parents’ application.

**Special Priority Program Applicants on the Internal Transfer List**

SPP applicants requesting an internal transfer must complete the [Special Priority Application](#). If Access to Housing confirms a household’s eligibility for SPP, RGI Administrators must place the household at the top of their internal transfer list. Rank SPP internal transfers by the SPP application approval date provided by Access to Housing.

**Over-housed RGI Households on the Internal Transfer List**

If an RGI Administrator’s housing portfolio includes at least one appropriately sized unit, as soon as the RGI Administrator notifies a household that they are over-housed, they must add the household to their internal transfer list. Chapter 4 of the RGI Administration Manual has more information about Local Occupancy Standards and determining when a household is over-housed.
If a housing provider does not have at least one appropriately sized unit for the over-housed household they must be immediately be placed on the CWL.

The Over-housed section of Chapter 3 provides more information on how to work with over-housed households.

**Making an Offer to a Household on the Internal Transfer List**

If a housing provider has RGI assistance available and the RGI Administrator wants to select an RGI household, they must go to their internal transfer list and offer the unit to the highest ranked household in order of priority.

If a household on the internal transfer list refuses an offer, the RGI Administrator must clearly document this refusal in the household's file.

If an over-housed household refuses an offer, RGI Administrators must send a letter to the household regarding the number of offers they have received and their risk of losing eligibility for RGI. If the household refuses three offers, and has been over-housed for over 12 months, the RGI Administrator must issue the household a Notice of Decision – Loss of Eligibility for RGI Assistance. If the household is also on the CWL, the RGI Administrator must inform Access to Housing about the refusal.

When a household has accepted an internal transfer, there will still be a vacancy.

The RGI Administrator should continue to fill all resulting vacancies until they have exhausted their internal transfer list of SPP and over-housed households completely.

If there is still a vacancy, the RGI Administrator should fill the vacancy following their board-approved internal transfer policy. A housing provider's policy could require that once the RGI Administrator has exhausted their SPP and over-housed internal transfers, they either

- fill the vacancy from the internal transfer list (households that are not SPP or over-housed), or
- fill the vacancy from the CWL, or
- fill the vacancy with a market rent household

**Using the Centralized Waiting List (CWL)**

Applicants for all RGI subsidies must come from the City's CWL, managed by Access to Housing. Housing providers who receive subsidies from the City of Toronto to fund RGI assistance must select all applicants for RGI assistance from the CWL.
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The CWL is organized into smaller, or subsidiary, waiting lists by building and unit type. Housing providers should never print their subsidiary waiting lists as the order of the CWL is constantly changing.

Housing providers are not permitted to keep their own RGI waiting lists or to offer any RGI assistance to individuals who are not on the CWL, with the following exceptions:

- HSA Part VII, 100% RGI housing providers, also called alternative housing providers, do not have to use the CWL. However, a copy of their board-approved Access Plan must be on file with the City of Toronto.
- Units being filled through referral agreements do not have to go through the CWL. These agreements must be in writing and must be on file with the City of Toronto.

RGI Administrators who fill a unit through a referral agreement or Access Plan should provide the details of any refusals, withdrawals, or new household or household member to Access to Housing so that respective adjustments can be made to the CWL. If the housing provider does use the CWL, the RGI Administrator should always attempt to link the vacancy to the household and note in the Comments that they were given housing through a referral agreement or Access Plan.

**Determining When to Use the CWL**

The RGI Administrator identifies a vacant unit. They address all priorities on the internal transfer list, referring to their targeting plan and policies regarding filling vacant units to determine how to fill remaining vacancy.

If the housing provider's policies and targeting plan dictate that the current vacancy should be filled with an RGI household, to the CWL.

**Local Rules for Using the CWL**

**Ranking of Applicants on the CWL**

Access to Housing ranks households on the CWL using the date Access to Housing determined the household is eligible for RGI assistance as well as legislated and City defined “Local Access” priorities.
The priorities for the CWL are

1. SPP for victims of abuse or human trafficking, as required by the HSA
2. terminally ill
   - This priority is optional for housing providers. If a housing provider's board of directors wishes to opt out of this priority, they must notify Access to Housing and their Housing Consultant in writing.
3. over-housed households

In addition, every seventh RGI vacancy must be filled by a household that has a disadvantaged (DA) designation including

- people who are homeless (in shelter or sleeping rough), including homeless newcomers
- families separated due to unsuitable housing
- youth (age 16 or 17 at the time of application) applying independent of an adult

Access to Housing assigns a “DA” code to these applicants in the vacancy management system. Every seventh vacancy for a housing provider on the CWL prompts the vacancy management system to produce a waiting list that includes only disadvantaged (DA) households.

Households in alternative housing applying for RGI housing with another provider and market rent households applying for RGI assistance in their current unit (in-situ) are backdated to their original application date

- the date that they signed the original lease with their current housing provider
- the date that they originally applied to the housing provider

This is done by the housing provider submitting an Alternative Housing or Market Rent Tenant Provider Authorization form along with a copy of the original lease and, if available, documentation of when the household originally applied to the housing provider. If the household applied to the CWL before they moved in with their current housing provider, they will receive the earlier date from the CWL.

For all other RGI applicants, their ranking will be determined by the date their file was deemed eligible to be added to the CWL.

**Note:** A household receiving RGI assistance in Toronto who wishes to move to another housing provider in Toronto must complete a new application. They will be ranked by the date the household's new application is approved.
Over-housed Households on the CWL

There are three situations when an over-housed household is placed on the CWL:

1. If a housing provider's portfolio does not include units of the size that the household is eligible for, the household must be placed on the CWL immediately.

2. If the housing provider has suitably sized units in their portfolio, over-housed households may choose to go on the CWL. The household may also ask to be removed from the CWL within the first twelve months of being over-housed. RGI Administrators should not remove the household from the internal transfer list.

3. If a household has been over-housed for 12 months, they must be placed on the CWL. If the housing provider has a suitably sized unit in their portfolio, RGI Administrators should not remove them from the housing provider's internal transfer list.

Over-housed households who must apply to the CWL must choose at least five housing providers. They may also choose their current provider, but this will not be counted as part of the minimum of five needed to maintain RGI eligibility.

Making an Offer to a Household on the CWL

Once an RGI Administrator has determined that a vacancy should be filled from the CWL, they must:

1. Post the vacancy within the vacancy management system.
2. Go to the appropriate subsidiary waiting list for the vacancy and contact the first household on the list, following the order provided.
3. Place the first household's status on the subsidiary list "on offer" in the vacancy management system. This will trigger an arrears check and prevents the household from receiving offers from other housing providers.

Make detailed notes of all contact attempts and communications in the Comments section of the offer. If an RGI Administrator cannot reach an applicant at their primary number, they must call all other numbers provided in the applicant's file. All contact attempts must be properly documented.

If the RGI Administrator is not able to reach the household within two business days, or the household is not interested in the unit, the RGI Administrator must:

1. Change the household status to a refusal or withdrawal.
2. Document the reason for the refusal or withdrawal in the Comments section of the offer page.
3. Move to the next household on the subsidiary list and begin the offer process again.
If the household expresses an interest in the unit, the RGI Administrator must
1. Set up a viewing, if possible.
2. Change the household status to "Verbal Acceptance" on the offer page of the subsiary waiting list, if the household says they are interested after viewing the unit.
3. Have interested households fill in an RGI Income and Asset Review Form and provide proper income, assets and status documents. Use these documents to confirm RGI eligibility.
4. For eligible applicants, calculate their RGI rent, discuss the household's requirements for maintaining RGI eligibility, and have them sign a lease.
5. Review the RGI program rules and the consequences of breaching them with the household.
6. Change the household status to "Accepted" in the vacancy management system.

If the housing provider is a co-op, they should hold membership interviews as early as possible in the offer process.

Some rent supplement households sign an RGI agreement with the RGI Administrator and a lease with the landlord.

If, while making the offer, it is determined that the household requires support to live independently, you cannot immediately refuse the household. First, contact Access to Housing who will connect with the household and community agencies to assess the situation. Access to Housing will respond regarding the eligibility of the household within 72 hours. In such cases, you may not make an offer to another household unless you receive instructions to do so from Access to Housing.

**Special Needs Applicants and the CWL**

Many housing providers delegated waiting list management for their special needs units to Access to Housing by filling the vacancies using the CWL. It is recommended that housing providers do this for their modified units without supports, because it simplifies the access system for applicants.

Access to Housing establishes the application form, documentation requirements, and assessment protocols for their review of special needs applications.

Special needs applicants appear on subsidiary waiting lists for modified units/bedroom size. The RGI Administrator must select the Wheelchair filter within their subsidiary list to ensure they are calling households who require the modifications.
If an RGI Administrator cannot find an appropriate household for their modified unit, they should contact Access to Housing for assistance in finding a suitable household.

**Arrears Check**

Placing a household "on offer" in the vacancy management system automatically triggers a check for arrears in PWAD.

- If there is a potential match for arrears, the vacancy management system will change the households to "inactive due to arrears" and housing providers will not be able to change the household status to "accepted". The RGI Administrator must allow three business days for Access to Housing to validate this arrears match.
- If the arrears are not a valid match, Access to Housing will switch the household status back to "on offer" and the RGI Administrator can proceed with the offer process with that household.
- If the arrears are a valid match, Access to Housing will contact the housing provider to inform them about the details of the arrears. The housing provider must communicate this to the household and allow them at least 7 days (5 business days) from the time of placing the household "on offer" to resolve the arrears.
- If the arrears are resolved within 7 days, Access to Housing will switch the household back to "on offer" and the RGI Administrator can continue with the offer process.

RGI Administrators may still proceed with the offer process, with the exception of lease signing, while waiting for arrears to be resolved, but must be clear with the household that the offer may not be made if the arrears are not resolved within the identified timeline.

**Verifying Arrears for Households Not Using the CWL**

If an RGI Administrator is filling a unit through a referral agreement, a board-approved Access Plan, or they are making an offer of RGI to a market household in their current unit, they must still conduct an arrears check. This is done by completing and submitting the Arrears Check Form. Access to Housing will contact the housing provider with the results of the arrears check.

Chapter 10 of this RGI Administration Manual provides additional information on the processes, requirements and timelines for arrears checks and uploads.
Adding a New Household Member

If an applicant household wants to add a new household member at any time before the lease is signed, an RGI Administrator must send the household to Access to Housing to verify the eligibility of the new household member, including conducting an arrears check.

Inform the household that the RGI Administrator will allow three business days for the approval from Access to Housing before offering the vacancy to the next household.

If the household now requires a larger unit, their application must be updated accordingly.

If a current RGI household wants to add a new member to the household, an RGI Administrator must

1. Inform the new household member that if they are on the CWL, they will be removed, and should they wish to reapply for RGI, they will receive a new application date.
2. Request an Arrears Check Form from Access to Housing.
3. Submit the Arrears Check Form for the new household member to Access to Housing.
4. Allow a minimum of 3-5 business days for Access to Housing to complete the arrears check.
5. Collect the proper income, assets and status documents from the new applicant and calculate what the new rent would be for the household.
6. Hold a membership interview, if the housing provider is a co-op and deems it appropriate.
7. Inform the household of what the new rent would be, and if they would still qualify for RGI.
8. Inform Access to Housing once the new household member has been approved so Access to Housing can remove the person from the CWL, provided the household still wishes to add the new household member.
9. Add the new household member to the lease, if appropriate.
Chapter 8: Filling Vacancies and Allocating RGI Assistance

Removing Applicants from the CWL

Access to Housing will remove an applicant household from the CWL if

- the household asks to be removed
- the household ceases to be eligible for RGI assistance, for reasons such as
  - refugee status being declined
  - a match in PWAD for unresolved arrears
  - they have previously been convicted of misrepresentation related to RGI
- the household has been over-housed for at least 12 months and has refused three offers for RGI units
- the household was offered and refused 3 different units of a size that they are eligible for under Local Occupancy Standards and that were listed in their CWL file
- the household has accepted an offer of RGI assistance within Toronto; this does not apply if a household accepts
  - an offer of emergency shelter
  - temporary housing where one or more household members are receiving treatment or counselling

If a household's income is above the threshold for RGI, they will be taken off all subsidiary lists until their income drops and they update their income in their application file. It is the responsibility of the applicant to keep their income information up-to-date, however if a housing provider discovers that a household is above the income threshold, they should inform Access to Housing.

Removing Applicants That Should Not Be on Your Subsidiary Waiting List

Access to Housing can remove an applicant from a subsidiary waiting list upon request from the RGI Administrator, in the following situations

- an applicant has refused an offer from the RGI Administrator and has indicated that they are not interested in receiving other offers from this housing provider, or
- the RGI Administrator has refused to offer the vacancy to an applicant (see the grounds for refusing to offer section earlier in this chapter)

If a review body decides that a refusal to offer should be reversed, the RGI Administrator must inform Access to Housing in writing. Access to Housing will reinstate the applicant to their original position on the subsidiary waiting list.
Market Rent Households Requesting RGI Subsidy in Their Current Unit (in-situ)

All in-situ RGI subsidies must be approved by the housing provider's Housing Consultant.

Housing providers must inform all market rent households about the Local Rules and their internal policy regarding current market households requesting RGI. This includes informing all market rent households in their building about the opportunity for an in-situ offer for RGI subsidy. Households should be informed that to be eligible for an in-situ RGI subsidy, the household must

- apply to the CWL through Access to Housing
- select their current building in their application
- meet all of the eligibility criteria for RGI
- be a tenant or member household with their current housing provider for at least 5 years
- inform the housing provider about their application to the CWL

When Can Current Market Rent Households Be Offered RGI?

If an RGI Administrator has RGI available but no vacant unit, the RGI Administrator may give RGI assistance to a market rent household living in their housing portfolio under certain conditions as dictated by the City's Local Rules.

Before offering RGI to a market rent household, a housing provider must meet the following criteria

- All HSA Part VII housing providers with market and RGI, and housing providers receiving rent supplement, must have a policy regarding Market Households Requesting RGI Assistance (in-situ).
- In all situations where a housing provider wishes to give an RGI subsidy to a current market household, the last allocated RGI subsidy must have been given to the highest ranked applicant household on the CWL (external offer), not a current resident of the building (internal offer).
- The housing provider must be below their maximum allowed number of RGI units. The maximum number of RGI units is the total number of units of all types in a building minus the minimum number of market units required.
Market rent households requesting RGI within their current unit must meet the following criteria before they can receive an in-situ offer for RGI subsidy:

- The household must have applied for RGI through Access to Housing.
- The household must have requested their current housing provider in their RGI application.
- The household must currently live in the size of unit they are eligible for, according to the Local Occupancy Standards. The in-situ offer for RGI will be for their current unit, therefore they cannot be over-housed.
- The household must have lived in a building owned by their current housing provider for at least 5 years.
- The household must meet all RGI eligibility criteria.
- The household does not have any outstanding arrears with the current housing provider or a previous social housing provider within Ontario. If they do have arrears, they must have a repayment agreement that is in good standing to remain eligible for RGI.
- If the household is currently receiving a housing allowance they are still eligible but will be required to inform the Province to cancel their housing allowance once they begin receiving an RGI subsidy.

The household must be the highest ranked eligible applicant within the building on the CWL. The ranked list of applicants is given to housing providers by Access to Housing upon request and is entitled the Applicants Using Your Address (AUYA) report.

### Policies for In-situ

All housing providers with both market units and RGI, and those providing rent supplements, must have a policy regarding how market households apply for and may be allocated RGI assistance (in-situ). This policy must clearly state that RGI subsidies must not be offered to qualifying market households unless the last RGI vacancy came from the CWL (external offer).

### Backdating In-situ Applications under Local Access Priorities

Once a household has informed a housing provider that they are interested in an in-situ RGI subsidy and have applied to the CWL, the housing provider must submit an Alternative Housing or Market Rent Tenant Provider Authorization form to Access to Housing along with a copy of the household's original lease. This form can be found under RGI Forms and Tools in the RGI Manual section of the Social Housing Providers website or on the RGI Provider Login website under Provider Forms. Access to Housing will then assess the household's preference date.
The date from the Alternative Housing or Market Rent Tenant Provider Authorization form becomes the Preference Date for Current Provider on the Applicants Using your Address (AUYA) report. This date will either be

- the date that the household signed the original lease; or
- the date that the household originally applied to the housing provider, if the housing provider still has that information

**Market Rent Households Not Eligible for a Backdated Application**

Market rent households do not qualify to have their application backdated if

- The market rent household lost their RGI assistance because of a breach of the HSA regulations or Local Rules
- Members of a market rent household wish to form a second household.
  - If one or more members of a current household intend to leave that household and create a second household, their application for RGI assistance is considered a new application. Access to Housing will assign a new application date for the second household.

For example, a current household has 4 members consisting of two parents, their daughter, and her baby. The daughter and her baby decide to move out on their own and form a new, additional household. Their application would receive a new date, not the date of her parents’ application. The market rent household voluntarily gave up RGI assistance in order to move to another building without applying for an internal transfer to another RGI unit.

**Note:** Backdating applies to a household’s entire application on the CWL, not just their current housing provider. However, if a household applied to the CWL prior to moving in with their current housing provider, their application will be given the earlier of the two dates.

**In-situ Priorities**

In order to determine who should receive an in-situ offer for RGI, housing providers must request an Applicants Using Your Address (AUYA) report from Access to Housing. The AUYA report is based on the CWL and lists all eligible in-situ applicants for that housing provider by Preference Date

**Note:** If a household has not lived in one of the housing provider’s buildings for five or more years, they cannot be offered in-situ, even if they are at the top of the AUYA report.
Special Needs

Applicants for and residents of special needs units (modified and/or with provincially funded supports) can receive RGI immediately as long as they meet the initial eligibility criteria. These households do not count as an in-situ RGI subsidy.

Offering In-situ When No Vacancy

If a housing provider does not have a vacancy but, according to their targeting plan, has an available RGI subsidy, they may be able to offer a subsidy to a current market rent household. In this case, the RGI Administrator must

1. Verify that the last RGI subsidy was offered to a household from the CWL. If the last RGI subsidy was an in-situ then the RGI Administrator cannot proceed.
2. Verify that the building is below its maximum allowed RGI subsidy target. If the building is already at the maximum allowed RGI units, the RGI Administrator cannot proceed.
3. Verify that making this in-situ offer for RGI subsidy aligns with the housing provider's Market Household Requesting RGI Policy.
4. Request an AUYA report from Access to Housing.
5. Verify the Preference Date for Current Provider and eligibility for the top household on the AUYA report. This should include an arrears check for the household, and the household should be informed about the arrears check.
6. Complete the Market Household Requesting RGI Assistance form online and submit it, along with the AUYA report, to receive final approval from the housing provider's Housing Consultant.
7. If written approval is received from the Housing Consultant, offer the approved household an RGI subsidy and have them sign a new lease.
8. Post the unit the in-situ household currently lives in as a vacancy on the CWL and link the household to this vacancy, setting the status as "Accepted" to ensure the household is now removed from the CWL as they are now in receipt of RGI. Document in the Comments of the offer page that this was an in-situ subsidy.

Applicants Using Your Address (AUYA) Report

Once an RGI Administrator has verified that making an in-situ offer will not violate the City's and the housing provider's policy requirements, the RGI Administrator must request an Applicants Using Your Address (AUYA) report from Access to Housing. The AUYA report lists the top applicants on the CWL who have applied for RGI assistance in the building they currently live. These reports are valid for 30 days from the date they were issued and provide a list of the priority in-situ applicants on the CWL.
Verifying Households on AUYA Report

The AUYA report is organized by priority using the Preference Date for Current Provider and RGI Administrators must verify and follow the order of the report when making an in-situ offer for RGI subsidy.

If the top household on the AUYA report does not meet all of the required conditions for an in-situ offer, the RGI Administrator must document this in the online Market Household Requesting RGI Assistance form and proceed to check the next household on the list.

**Note:** If you do not have any names on your AUYA report, then you cannot offer an in-situ RGI subsidy.

Errors in the AUYA Report

If the RGI Administrator discovers an error in the AUYA report, often related to the household's preference date, they should contact Access to Housing.

Market Household Requesting RGI Assistance Form

Once an RGI Administrator has verified that the top household on the AUYA report is eligible for an in-situ offer of an RGI subsidy, they must complete the Market Household Requesting RGI Assistance form using the link found under RGI Forms and Tools.

If the top household on the AUYA report is not being offered RGI, the reason must be documented on the form.

Once the Market Household Requesting RGI Assistance form is correct, it will state that the application is complete and will ask you to upload your most recent AUYA report. Please do not send this information by email due to privacy requirements.

If the Housing Consultant approves the application, they will send a letter to the Board and to the RGI Administrator confirming the approval. The letter will include the effective date for the RGI subsidy.

Finalizing the In-situ RGI Offer

When Housing Consultant approval is received, the RGI Administrator may proceed to offer the in-situ RGI subsidy to the household.

If the household accepts the offer, they must sign a new RGI lease. The effective date will be the date listed in the City's approval letter.
The Making an Offer section of this chapter provides more information about how to make offers.

**Note:** All approval letters and AUYA reports should be kept in the household's file.

**Refusal of In-situ RGI Assistance**

If a household refuses an in-situ offer of RGI assistance, the process used and the refusal must be carefully documented. RGI Administrators should also inform Access to Housing of all refusals.

The Making an Offer section of this chapter also provides details on processing refusals for RGI assistance.

**Removing the In-situ Household from the CWL**

Once a household has accepted an in-situ offer of RGI they must be removed from the CWL. This is done by posting their current unit on the CWL and then going to the subsidiary list and linking the household to the unit, placing the household's status as "Accepted". RGI Administrators must be sure to include a note on the CWL stating that the household was housed through the in-situ process.

Any time an RGI Administrator is unable to locate the household on the CWL or unable to link the household to the vacancy, they must contact Access to Housing for assistance.

**Note:** Once an offer of in-situ has been successfully completed, the next RGI subsidy must go to a household from the CWL.
Keeping Records

A record is information created or received by a housing provider related to a housing portfolio, including, but not limited to, information related to an applicant, current and former tenants of the housing provider. This information may be maintained or stored in printed, electronic, or other machine readable format.

RGI Administrators are required to appropriately collect, store and maintain the information they collect through the administration of the RGI program.

All information collected related to administration of a household's RGI subsidy must be kept in a file separate from other tenancy related issues.

Contents of the RGI File

For each RGI household, their RGI file must contain

- documentation of all actions (and dates) taken by the RGI Administrator related to the household's RGI subsidy
- executed leases (for a non-profit) or occupancy agreements (for a co-op)
- all completed Income and Asset Review forms for the duration of the tenancy, including
  - proof of income documents
  - a consent form signed by all members of the household who are 16 years of age or older
  - a rental history record
  - documents to verify each household member's status in Canada
  - a written record of any internal review of a decision
  - RGI rent calculation worksheet
  - all notices of annual income and asset reviews
  - all notices of rent changes
  - Any Notices of Decision
  - all correspondence to and from members of households about the RGI program

The HSA requires that housing providers keep

- Complete household RGI files throughout the household's tenancy and for at least 5 years after the household moves out. This includes verification of eligibility for RGI documentation (application, status in Canada, etc.)
- RGI records must be kept for 5 years after the household ceases to be eligible for RGI (pays market rent or moves out).
RGI Administrators must also keep a written record of the decision to refuse to offer a unit to an applicant for 7 years. This record must include

- the decision
- a copy of the notice given to the household
- the facts that were used to make the decision

Protecting Personal Information

RGI Administrators collect personal information to determine if a household is eligible for RGI assistance. They must follow the guidelines in Regulation 367 and the Municipal Freedom of Information and Protection of Privacy Act.

When you ask for personal information, you must give the person a written notice that tells them why you need the information. You must also tell them that you may share it with

- the Minister of Municipal Affairs and Housing
- other service managers
- administrators appointed by a service manager
- other housing providers/RGI Administrators
- organizations providing services to any of the above
- an officer enforcing the law under the HSA, the Ontario Disability Support Program Act, the Ontario Works Act, or the Day Nurseries Act

This notice must be in writing and include the name, title, business address, and phone number of a person that will respond to any questions or complaints about the collecting and keeping of personal information.

You can only use the information for the purpose stated in the notice.

**Note:** There are special rules for handling personal information about people experiencing domestic violence. If you collect information to determine if a person is eligible for SPP, you can only use the information for that purpose

Regulation 367 sets out standards for collecting, using, disclosing, keeping, and disposing of personal information.
Personal information may be disclosed only if
- the person the information is about consents to the release of the information
- the HSA, a Regulation, or an agreement under the Act allows you to share the information
- an officer, employee, agent such as a lawyer or auditor, or volunteer of the housing provider needs the information to perform their duties
- the information may affect the health or safety of the person the information is about; in this case, you must notify the person in writing to tell them that you have shared personal information about them
- there are “compassionate circumstances” such as an illness or an injury and sharing the information will allow someone to contact the next of kin or a friend

People have the right to see information about themselves unless
- the information reveals something personal about another person
- the information reveals something private about an organization
- giving out the information will put another person at risk

If a person disagrees with the personal information in their file, they can ask the housing provider to correct it. Or they can add a written statement telling why they disagree with the information.

RGI Administrators should control access to all personal RGI information. Keep RGI files in a cabinet that can be locked. Use passwords to protect RGI information on computer systems. Do not send confidential information by fax.

Records should only be viewed by persons who need to see them to make decisions. When providing information to the board of directors about resident households, the names and unit numbers of should not be disclosed. Assign a number to each file being discussed. This ensures that the discussion is objective and that personal information remains confidential.

RGI Administrators should dispose of confidential records by
- shredding or destroying the information
- sending the records to a company that specializes in getting rid of confidential information

RGI Administrators must make sure that directors, officers, employees, agents, and volunteers are aware of their responsibilities for keeping personal information confidential. They must also assign an individual to make sure that confidential records are dealt with properly. This will usually be a staff person.
Informed Consent

If an RGI household wishes to allow the RGI Administrator to contact someone other than themselves (for example, a community agency, family members, friends, etc.) to assist in the completion of a review, the RGI household must provide their informed consent.

In order for households to provide this informed consent, all forms must include
- the purpose for collecting the specific information required, as detailed in sections 42-67 of the HSA
- notification that the information provided may be shared, and with whom
- the name, business address and phone number of a person who can answer questions and respond to complaints about the collection, use or disclosure of the information (HSA, s. 169-176)

If a person in the household is unable to sign, a consent form may be signed by a person with authority to sign on their behalf.

The City requires that housing providers use the applicable template forms which include Consent and Declaration statements that meet the requirements of the HSA. On these forms, housing providers must customize the form with
- their logo and/or business name and address
- the address where the form must be submitted
- contact information for the person who can be contacted regarding complaints

Template forms with a consent and declaration can be found in RGI Forms and Tools.
Chapter 10: Province-Wide Arrears Database

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Chapter 10: Province-Wide Arrears Database

The Province-Wide Arrears Database (PWAD)

The Province-Wide Arrears Database (PWAD) is an online database used by Ontario Service Managers to track social housing arrears and RGI-related convictions. The City of Toronto has been participating in PWAD since the beginning of 2018, as detailed in City Guideline 2017-7.

Arrears, for the purposes of PWAD, are rent arrears accumulated by a former tenant of social housing and include the following:

- unpaid rent and/or damages of households receiving RGI assistance
- unpaid rent and/or damages of households paying market rent, if the household has signed a lease agreement which includes a clause granting permission to add the household’s information to PWAD

Eligibility for RGI assistance requires that, the household does not:

- have an RGI-related conviction within the last two years
- owe household arrears to any transferred social housing provider in the Province of Ontario, unless they have a repayment agreement which they maintain in good standing

All applicants for RGI assistance in the City of Toronto are screened for arrears and RGI-related convictions in PWAD when they submit a new application to the CWL and at the time of an RGI subsidy offer.

Roles and Responsibilities for PWAD

The City and PWAD

The City of Toronto's responsibilities related to PWAD include:

- provision of the mechanism for housing providers to upload arrears owed by former social housing tenants and information on RGI-related convictions to PWAD
- collecting information from housing providers on arrears owed for rent and/or for damages by former social housing tenants, including RGI-related convictions
- removing an applicant from the CWL if they have
  - arrears with another social housing provider in the province of Ontario
  - arrears and do not have repayment arrangements that are in good standing
  - RGI-related convictions
- verifying an applicant for RGI eligibility in PWAD at the time of an RGI subsidy offer
Housing Providers and PWAD

Housing providers' responsibilities related to PWAD include

- report arrears of rent and/or damages owed by former resident households to PWAD
- report creation of and/or a default of an established repayment arrangement to PWAD
- report RGI-related convictions to PWAD
- update reports of arrears and RGI-related convictions at least quarterly within PWAD
- update repayment agreements at least quarterly, including status and amount still owing within PWAD
- follow the City of Toronto's processes for checking PWAD for arrears and RGI-related convictions at the time of any RGI subsidy offer

Reporting Arrears to PWAD

RGI Administrators are responsible for reporting former household arrears (including damages) and RGI-related convictions on the PWAD system at least quarterly, and more often if the eligibility status of a household member has changed.

All Housing Providers have been issued a unique PWAD reporting form (Excel spreadsheet) - the Housing Provider Arrears Report Spreadsheet. Each upload to PWAD overwrites the previous information uploaded by the housing provider, therefore all records must be uploaded each time. One person (the arrears contact) must be assigned responsibility for updating and uploading information in PWAD, with a second staff acting only as backup.

Instructions for uploading arrears can be found under the RGI Forms and Tools section of the Social Housing Providers website.

Note: Do not upload arrears for current RGI or market households.

Social housing providers must only report arrears and/or damages which are over the minimum amount indicated in Table 14.
Table 14: Minimum Value of Arrears to Report to the City

<table>
<thead>
<tr>
<th>For Arrears Accumulated:</th>
<th>Value of Arrears Equal to or Exceeding:</th>
</tr>
</thead>
<tbody>
<tr>
<td>On or Before December 31, 2011</td>
<td>No arrears should be entered</td>
</tr>
<tr>
<td>Between January 1, 2012 and December 31, 2017</td>
<td>$500</td>
</tr>
<tr>
<td>On or After January 1, 2018</td>
<td>$100</td>
</tr>
</tbody>
</table>

The documentation detailed in Table 15 must be maintained for all arrears reported.

Table 15: Required Documentation

<table>
<thead>
<tr>
<th>Source of Arrears</th>
<th>Required Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rental Arrears</td>
<td>A statement documenting the balance owed</td>
</tr>
<tr>
<td></td>
<td>Correspondence with the household which indicates the amount of arrears owed</td>
</tr>
<tr>
<td></td>
<td>Any loss of eligibility notices related to the arrears</td>
</tr>
<tr>
<td>Damages</td>
<td>Receipts or invoices for the work completed</td>
</tr>
<tr>
<td>Misrepresentation or Fraud</td>
<td>The court decision(s) which declares misrepresentation or fraud (not LTB orders for misrepresentation)</td>
</tr>
</tbody>
</table>

Special Considerations

- **Arrears and convictions not in PWAD**: Arrears and/or RGI-related fraud convictions are applicable to eligibility for RGI whether or not they are recorded in PWAD.
- **Market households**: Social housing providers can only report market households' past arrears or RGI-related convictions if the household signed a lease agreement giving consent to share the information. City Guideline 2017-7 provides a sample market lease agreement clause.
- **Arrears owed by Special Priority Program (SPP) applicants**: If the SPP household owes rent arrears or money for damages to a social housing provider where the SPP applicant and the abuser were co-habiting, the applicant is only
required to make reasonable efforts to make arrangements to pay off 50% of the debt.

- **Bankruptcy:** If a former household member files for bankruptcy, he or she may be discharged of any debts that are listed on the bankruptcy discharge statement, including rental arrears. Household members must provide the discharge statement in order for the arrears to be removed from PWAD. After verifying that the discharge statement includes social housing arrears, housing providers must report to Access to Housing that the household member's arrears should be removed from PWAD.

### Completing the Housing Provider Arrears Report Spreadsheet

When completing the Housing Provider Arrears Report Spreadsheet, housing providers must list the names of all household members who have signed the RGI lease or RGI agreement. Each household member is listed with the full amount of the arrears, with the exception of an SPP household.

For example, if a former household owes $1,000 in arrears, each household member who had been on the lease would be assigned $1,000 in PWAD. If one of the household members paid $100 toward the arrears, all of the household members should now be listed at $900 in PWAD.

**Exceptions**

- SPP households are only assigned half of the arrears from their former tenancy.
- A household may agree that only one person is responsible for the arrears or damages. Any agreement regarding assigning sole responsibility for arrears must be in writing and signed by all impacted household members.

If a housing provider has written off arrears to balance their books, or have engaged a collection agency, the housing provider may still upload the arrears and should continue to update any payments and repayment plans in PWAD.

If a housing provider has decided to reduce the amount the household owes, then the new agreed upon amount should be uploaded to PWAD.

### Verifying Arrears and RGI-related Convictions

All members of a household should be checked for arrears and RGI-related convictions in PWAD when

- applying to the CWL
- receiving an RGI subsidy offer using the CWL
- receiving an RGI subsidy offer not directly from the CWL
If an RGI household is adding a new person to the household, the new household member must also be checked in PWAD prior to completing a subsidy offer or updating a lease.

Currently Access to Housing screens all RGI applicants for arrears and RGI-related convictions in PWAD when they first apply. Then, the vacancy management system does an automatic check in PWAD when the household status is changed to "on offer".

**Manual PWAD checks**

Following are situations when household members would be checked manually in PWAD:

- applicants to Part VII 100% RGI (alternative) housing providers
- special needs RGI units that are filled through referral agreements that have been shared with the housing provider's Housing Consultant and that meet the requirements of the HSA
- market households requesting RGI in their current unit (in-situ) RGI subsidy offers where Access to Housing provides the list of names in the Applicants Using Your Address (AUYA) report
- when a current RGI household is adding a new household member

In these situations, RGI Administrators must request a copy of the Arrears Check Form by emailing Access to Housing at housingprovider@toronto.ca. A Status document for the household member(s) must be submitted with the completed Arrears Check Form.

All applicants to the CWL give consent in their application to be checked for RGI eligibility in PWAD. When submitting an Arrears Check Form for a manual check of PWAD, the applicant must complete the consent portion of the form.

**Arrears Determined Through PWAD**

If Access to Housing confirms there are arrears for a household member(s) currently being offered an RGI subsidy, and the household does not resolve the arrears within 7 days (5 business days), the offer is a withdrawal and documented in the household file and/or the CWL offer page as "a withdrawal due to arrears".

If a household disagrees with the amount of the arrears or the status of the arrears in PWAD they must contact the housing provider who is owed the arrears.
Matching a Household with Arrears

Due to privacy restrictions, the City of Toronto does not collect Social Insurance Numbers (SIN) for its RGI application process. Therefore, in matching an RGI applicant with social housing arrears or RGI-related convictions in PWAD, the City must use a probability method, called "fuzzy logic". This method assigns a probability that an applicant is a match to a record in PWAD using the first and last name of the applicant and their date of birth. This system is imperfect and matches in PWAD may require an additional check by Access to Housing staff to verify that the applicant has been correctly matched.

If a household believes they have been matched incorrectly in PWAD they must provide A2H with documents to confirm their identity.

PWAD Check Using the CWL

For the CWL, verification in PWAD is triggered by changing a household's status to "on offer" in the vacancy management system. The vacancy management system does an automatic arrears check twice per day for all households with an "on offer" status, and creates a report of all households with a match in PWAD. Access to Housing reviews these reports at the beginning of each day.

- If there is a potential match in PWAD for a household that is "on offer", the vacancy management system will change the household to "inactive due to arrears" and housing providers will not be able to change the household status to "accepted", although they will still appear on the offer page for the vacancy. This does not mean that the RGI Administrator automatically moves on to the next household. The RGI Administrator must allow **three business days** for Access to Housing to verify that the match in PWAD is correct.

- If the match in PWAD is not valid, Access to Housing will switch the household status back to "on offer" and the RGI Administrator can proceed with the offer process with that household. Access to Housing will only contact RGI Administrators using the CWL for confirmed PWAD matches. Therefore, if an RGI Administrator does not hear from Access to Housing after three business days, they can assume that this was not a valid match and proceed with the offer.

- If the match in PWAD is valid, Access to Housing will contact the housing provider to inform them about the details of any arrears. The RGI Administrator must communicate this to the household and allow them **at least 7 days** (5 business days) from the time of placing the household "on offer" to resolve the arrears.
• If the arrears are resolved within 7 days, and there are no RGI-related convictions, Access to Housing will switch the household back to "on offer" and the RGI Administrator can continue with the offer process.

**Note:** Resolving arrears does not necessarily mean that all the arrears are paid off. As long as the household is actively working to resolve the arrears, they are considered to be in "good standing" and can be offered an RGI subsidy.

RGI Administrators may still proceed with the offer process, with the exception of lease signing, while waiting for arrears to be resolved, but must be clear with the household that the offer may not be made if the arrears are not resolved within the identified timeline.

Households with an arrears match should also be made aware that they are ineligible for RGI housing anywhere in Ontario, and if they do not resolve the arrears within 60 days, they will be permanently removed from the CWL. Households can contact a housing help centre for support in resolving their arrears, and may contact Access to Housing if they require additional details about how to contact the housing provider who is owed the arrears.

**PWAD Check When Adding a New Household Member**

**Applicant households adding new members**

If an **applicant** household wants to add a new member at any time before the lease is signed, an RGI Administrator must

• Send the household to Access to Housing to verify the eligibility of the new household member, including conducting an arrears check.

• Inform the household that the RGI Administrator will allow three business days for the approval from Access to Housing before offering the vacancy to the next household.

If the household now requires a larger unit, their application must be updated accordingly. If the unit on offer is not appropriate, then the RGI Administrator must document this in the vacancy management system as a withdrawal due to a change in household composition making them ineligible for the unit, and move to the next household on their waiting list.
Households currently receiving RGI adding new members

If a current RGI household wants to add a new member to the household, an RGI Administrator must

- Inform the new household member that if they are on the CWL, they will be removed, and should they wish to reapply for RGI, they will receive a new application date.
- Inform the new household member that an arrears check will be done.
- Request an Arrears Check Form from Access to Housing.
- If the new household member is not on the CWL, have them complete the consent portion of the Arrears Check Form.
- Submit the Arrears Check Form for the new household member to Access to Housing.
- Allow a minimum of 3-5 business days for Access to Housing to complete the arrears check.
- Allow the proposed new household member up to 7 days from the time of first contact to resolve any outstanding social housing arrears.

Note: Access to Housing will contact an RGI Administrator about all results of a manual PWAD check using an Arrears Check Form, whether the check produces a confirmed match or not.

PWAD Check for RGI Subsidy Offers Not Using the Centralized Waiting List

Households who do not receive offers directly through the Centralized Waiting List (CWL) must be checked manually in PWAD. This should only occur with

- Part VII 100% RGI (alternative) housing providers with a City approved Access Plan
- Special needs RGI units that are filled through referral agreements that have been shared with the housing provider’s Housing Consultant
- Market households requesting RGI in their current unit (in-situ) RGI subsidy offers where Access to Housing provides the list of names in the Applicants Using Your Address (AUYA) report
- When a current RGI household is adding a new household member.
Consent Requirements for Manual PWAD Checks

For RGI subsidies given through a referral agreement, Access Plan, or when adding a new household member to an existing RGI household, the applicant(s) must complete and sign the consent portion of the Arrears Check Form. The referring agency may assist an applicant(s) in completing the Arrears Check Form.

No consent is required for in-situ RGI offers as they have already consented to a PWAD check when they originally applied to the CWL.

Communicating With Households Regarding PWAD

Households who have been identified as having social housing arrears must be informed that they have a maximum of 7 days (5 business days) to pay off the arrears or establish a repayment plan, otherwise they will not be eligible to receive an RGI subsidy. Households must also be informed that if they have unresolved arrears, they will not be eligible to receive an RGI subsidy offer anywhere in Ontario, and will be removed from the CWL within 60 days.

Access to Housing will provide the name of the housing provider who is owed the arrears to the RGI Administrator who is currently making the offer to the household. The RGI Administrator should immediately share this information with the household to support the household in resolving their arrears faster.

RGI Administrators must remain in communication with households throughout the offer process. All conversations and decisions regarding PWAD and any outstanding arrears must be documented in the Comments section of the offer page in the CWL, and in the household's file.

Households with a Confirmed Match in PWAD

If Access to Housing confirms a match in PWAD, they will send a letter to the applicant household advising them of the arrears, including the amount of the arrears and the contact information for the housing provider to whom they owe the arrears. The letter also informs the household that their CWL application status has been set as "inactive due to arrears" and they will not be able to receive any RGI subsidy offers until they have resolved the arrears. The household has 60 days to resolve the arrears through paying the arrears or establishing a repayment agreement. If they do not, they will be permanently removed from the CWL. The household must provide evidence of the payment, or repayment agreement, to Access to Housing before they can be reactivated on the CWL and/or begin receiving RGI subsidy offers.
Access to Housing will also inform the RGI Administrator offering an RGI subsidy to the applicant household, if applicable, that the household has a confirmed match in PWAD. This communication will include the name of the housing provider to whom the household owes arrears. The RGI Administrator should share this information with the household to avoid delays.

**Note:** RGI Administrators must be sure to keep their Provider Profile information up to date on the RGI Provider Login webpage as Access to Housing will use this contact information to update housing providers on any verified matches in PWAD.

RGI Administrators should refer households to housing help centres for support in resolving their arrears. Some supports for paying off arrears are only available prior to or at the time of offer/receiving housing so it is important to refer a household to these resources as early as possible.

**Deadline to resolve arrears**

RGI Administrators must inform the household of the deadline to resolve their arrears; this should be 7 days (5 business days) from the original contact with the household regarding the RGI subsidy offer.

If a household is actively working to resolve the arrears but requires more than 7 days, the RGI Administrator may consider extending beyond the 7 day minimum requirement. This should only happen if the housing provider who is owed the arrears is not responding or has provided inaccurate contact information in PWAD, or if the housing provider is located far away – these delays are out of the household's control. The household must provide evidence of their ongoing efforts to resolve the arrears. RGI Administrators must carefully document these exceptions and the reasons for the extension.

**Refusal to take action on arrears**

If a household refuses to take action to resolve the arrears, RGI Administrators must document this in the household's file, and should ensure the household is aware that they are currently ineligible for RGI housing anywhere in Ontario. As well, they must make the household aware that if they do not resolve the arrears within 60 days, they will be permanently removed from the CWL.
Resolving arrears

Households may contact Access to Housing if they require additional details about how to contact the housing provider who is owed the arrears. The Access to Housing Facts Sheet in this training section provides the contact information that households should use.

**Note:** If a household requires assistance from Access to Housing during an offer process, the housing provider should email Access to Housing to inform them of the urgency of the household's request. The email should include details of the issue, the household's application number, the housing provider's contact information and what action has been taken.

If a household does not resolve the arrears within the allowed time limit, they must be recorded as a withdrawal due to arrears.

Flexibility may be required on the arrears eligibility criteria if the household faces human rights code-related challenges. For example, an applicant with a mental health issue has a repayment agreement in place with a former social housing provider. If they were to become unwell and to default on their repayment agreement, accommodation by demonstrating flexibility with this criteria would be warranted.

**Verification of No Arrears at Annual Income and Asset Reviews**

A housing provider's annual Income and Asset Review Form must include the household's verification that no household members have outstanding arrears.

If an RGI Administrator is aware of a repayment agreement with a former social housing provider, it must be recorded in the household's file. RGI Administrators must confirm that any repayment plans remain in good standing at each annual income and asset review. This can be done by contacting the housing provider to whom the arrears are owed and who holds repayment plan. Households should be made aware that maintaining their repayment plan in good standing is an RGI eligibility criteria and that there will be regular verification checks completed.
Appendix: List of RGI Forms

Housing providers are responsible for ensuring that all template forms and letters, found under RGI Forms and Tools, are adapted to include the housing provider's logo and contact information, and meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Forms

RGI Applicants

- Market Household Requesting RGI Assistance (Mandatory)
- Alternative Housing or Market Rent Tenant Provider Authorization (Mandatory)
- Confirmation of Eligibility for Mandate (Mandatory)

RGI Calculations

- Consent and Declaration form for Income and Asset Review (Mandatory)
- Payments or Gifts for Medical Expenses Form (Mandatory)

Local Occupancy Standards

- Over-housed Household Provider Confirmation (Mandatory)
- Medical Request for Additional Bedroom (Mandatory)
- Overnight Caregiver Verification – with a home care agency (Mandatory)
- Overnight Caregiver Verification – not affiliated with a home care agency (Mandatory)

Loss of Eligibility and Suspected Fraud

- LOE Certificate of Service Form (Mandatory)
- RGI Request for Review Form – LOE (Mandatory)
- Notice of Decision – Loss of Eligibility for RGI Assistance (Mandatory)
- Documentation of Suspected RGI Fraud Form (Mandatory)

Templates

- Income and Asset Review Form and Sample Cover Letter
- Income and Asset Review Reminder Notice – Sample Letter
- Missing Information on Income and Asset Review Form – Sample Letter
- Notice of Decision – Sample Letter (non-LOE)
- Household Must Apply for Income – Sample Letter