

# Lambton County Community Services Housing Services Department Policy and Procedure Manual

SUBJECT: Eligibility Criteria – RGI Assistance		INDEX NO.: 1.002
EFFECTIVE: 01/10/01	APPROVED: 27/11/02	REVISED: 08/12/08

**Policy:** (Ont. Reg. 298/01, Section 7)

The Service Manager or designate must determine the eligibility of households for rent-geared-to-income assistance.

**Eligibility:**

Upon application for rent-geared-to income assistance a household is eligible if,

- At least one member of household is 16 years of age and able to live independently with or without support services
  
- All household members are Canadian Citizens, have been granted status as permanent residents under the Immigration Act (Canada) or have made a claim for refugee status under the Immigration Act (Canada)
  
- No deportation, departure or exclusion order under Immigration Act (Canada) has been made against or has become effective with respect to any member of the household
  
- No member of household has outstanding Social Housing arrears of rent, money owed as the result of a reimbursement requested by a service manager or money owed as a result of damages with respect to any housing project under any social housing program. This decision may be reversed if the member of the household provides proof of payment of outstanding arrears of rent, money owed as a result of a reimbursement requested by the service manager or money owed as a result of damages with respect to any housing project under any social housing program. If a member of the household does have such arrears and the member of the household has entered into an agreement with the housing provider or service manager for the repayment of the money owed and provides verification that they have maintained the repayment agreement for a minimum of six months, the household may be deemed eligible as of the first day of the seventh month. This decision may be

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reversed if the member fails to maintain the repayment agreement. Arrears occurring prior to discharge of a bankruptcy are excluded from the above.

- A member of a special priority household who has outstanding Social Housing arrears of rent, money owed as the result of a reimbursement requested by a service manager or money owed as a result of damages with respect to any housing project under any social housing program has entered into and is complying with a repayment plan.
- No household member was convicted under the Criminal Code of Canada or found by the Ontario Rental Housing Tribunal to have received RGI assistance he/she were not entitled to, or misrepresented income to receive RGI assistance. See O. Reg. 298/01 sec. 16 for further details.
- A household’s annual income as established under O. Reg. 298/01 is below the annual household income limit as listed below. (O. Reg. 368/01 table 2)

Bachelor Unit	1 Bedroom Unit	2 Bedroom Unit	3 Bedroom Unit	4 Bedroom unit or larger
\$19,000	\$24,500	\$29,500	\$34,500	\$44,500

Those households with Incomes above the household income limits but who meet all other eligibility criteria are considered to be Market Rent applicants, and may be housed in an RGI unit only if vacancies exist and no RGI applicants are on the waiting list for that particular unit size and location. The next vacant market rent unit would be considered to be an RGI unit in order to return the provider to its targeting plan.

A household ceases to be eligible for rent-g geared-to-income assistance if:

- All or any member of the household has failed to report, in writing, any changes in household income or composition and failed to provide verification of changes within 30 days of change;

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- At least one member of household is unable to live independently with or without support services;
- A deportation, departure or exclusion order under Immigration Act (Canada) has been made against or has become effective with respect to any member of the household;
- A household’s annual income as established under O. Reg. 298/01 is above the annual household income limit as listed below. (O. Reg. 368/01 table 2)

Bachelor Unit	1 Bedroom Unit	2 Bedroom Unit	3 Bedroom Unit	4 Bedroom unit or larger
\$19,000	\$24,500	\$29,500	\$34,500	\$44,500

- The household has paid rent-geared-to-income assisted rent equivalent to the market rent for the unit for twelve (12) consecutive months;
- Each member of the household who owns residential property that is suitable for year-round occupancy has not divested the property and given written notice to the Service Manager. Divestment must occur within 180 days after the first day of which the household begins to receive rent-geared-to-income assistance. See O. Reg. 298/01 sec 9.
- The Service Manager is of the opinion that a member of the household may be eligible to receive income of a type set out below and the member is not receiving such income,
  - basic financial assistance under the Ontario Works Act, 1997
  - support under the Divorce Act (Canada), The Family Law Act or the Interjurisdictional Support Orders Act, 2002
  - Benefits under the Employment Insurance Act (Canada)
  - Any pension or other benefit that an individual is entitled to
  - Support or maintenance resulting from an undertaking given with respect

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to the member under the Immigration Act (Canada) or the Immigration and Refugee Protection Act (Canada). O. Reg. 220/04, s.6

- All members of the household have been absent from the unit for more than sixty (60) consecutive days, other than for medical reasons
- The household has refused three offers of a rent-geared-to-income unit;

**Procedures:**

Once a completed application for RGI Assistance is received (see Index No. 1.001) an interview to determine eligibility will be scheduled within fourteen days after the household’s application is deemed complete. Where vacancies exist and for requests for Special Priority status, every attempt to hold an interview sooner than the maximum fourteen days will be made. The applicant will be advised of documentation required in order to complete application and determine eligibility. If the Service Manager is satisfied that the household is unable to provide information or a document it shall not require the household to provide that information or documents. O. Rent. 298/01, s.5(10)

During the interview the Service Manager will use the Criteria for Eligibility form located in Section 3 - Forms. The Service Manager will review eligibility based on the check list and discuss possible housing locations and estimated waiting periods with the applicant(s).

A decision regarding RGI eligibility must be made within 30 days after the household’s application is complete. If the members of the household were given an opportunity to comment (see Index 1.7) the 30 days does not include the time period outlined in the opportunity to comment. Notice of decisions must be made in accordance with policies and procedures for Notice of Decision, Index 1.8.

Once an applicant is determined to be eligible for RGI assistance his/her name will be placed on the centralized waiting list as per Index 1.003.

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If a Housing Provider has refused to house a household under section 18 of Ontario Regulations 339/01 the household will be removed from the subsidiary waiting list for that housing project.

### **Review of Eligibility**

Once in every 12 month period after a household is determined to be eligible for RGI assistance, whether they are in receipt of RGI assistance or on the centralized waiting list, the Service Manager or designate shall review the eligibility of the household and shall determine whether the household continues to be eligible for RGI assistance.

The Service Manager or designate will request appropriate documentation be provided within 30 days. The Service Manager may be satisfied that the household is unable to provide information or a document it shall not require the household to provide that information or documents. Once documentation is received the ongoing eligibility will be determined and the household notified of the decision.

### **Cessation of Eligibility**

If the Service Manager or designate determines that a household receiving RGI assistance has ceased to be eligible for such assistance the Service Manager or designate shall cease to provide the RGI assistance beginning with the month immediately following the 90<sup>th</sup> day after the date the Service Manager or Housing Provider, where the responsibility has been assigned to the provider, gives the household written notice that the household has ceased to be eligible for RGI assistance unless the Service Manager or designate is satisfied that extenuating circumstances exist.

If household receiving rent-geared-to-income has paid rent equivalent to the market rent for the unit for twelve (12) consecutive months the household ceases to be eligible for rent-geared-to-income assistance.

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Reapplication

A household may reapply for RGI assistance immediately upon receipt of the notice that it ceases to be eligible for RGI assistance unless it has been found to be ineligible due to being found guilty of misrepresenting income to receive RGI assistance. The household may then apply two years from the day of the month it ceased to receive RGI assistance or the date it received written notice of the determination of ineligibility if the household was not in receipt of RGI assistance.

A household, having reapplied for RGI assistance and been deemed eligible for RGI assistance, currently residing in a RGI designated unit will receive RGI assistance the first month following the date the completed application was received if the cessation of eligibility was not due to cause for example, the household income changed resulting in the household paying rent equivalent to the market rent for the unit for twelve (12) consecutive months and the household ceased to be eligible for rent-geared-to-income assistance. The household income has now changed and is below the Household Income Limit.