



	REPORT No.: 2020-05
MEETING DATE: FEBRUARY 13, 2020	DATE PREPARED: JANUARY 17, 2020
SUBJECT: UPDATE TO THE SOCIAL HOUSING LOCAL SERVICE STANDARDS	

RECOMMENDATION

THAT with respect to Report No. 2020-05 (Integrated Social Services Division) we, The District of Thunder Bay Social Services Administration Board, approve the changes to the Local Service Standards, related to the regulatory changes to the *Housing Services Act, 2011*, as presented.

REPORT SUMMARY

To provide The District of Thunder Bay Social Services Administration Board (TBDSSAB or the Board) with information on the changes and additions to the Local Service Standards, resulting from the regulatory changes to the *Housing Services Act, 2011* (HSA) as announced by the province of Ontario.

BACKGROUND

Throughout early 2019, the Ministry of Municipal Affairs and Housing (MMAH) established working groups to look at possible revisions to the HSA regulations. A number of groups were established, and TBDSSAB staff participated in several of these tables.

On September 23, 2019, MMAH announced four regulatory changes, covering several areas under the HSA. These changes included:

1. Amendments to Ontario Regulation 367/11 under the HSA that allows housing providers to refuse to offer a unit to a household based on a previous eviction for serious illegal activity in the past 5 years.
2. Amendments to Ontario Regulation 367/11 under the HSA including a new provincial eligibility rule on refusals of offers, rules on household preferences for a housing project and changes to a Service Manager's authority to make a local rule where a household ceases to meet occupancy standards. The amendment comes into force on January 1, 2020.

3. Amendments to Ontario Regulation 367/11 under the HSA related to tenant transfers between different housing providers in the same Service Manager service area.
4. New Ontario Regulation 316/19 "Determination of Geared-to-Income Rent under Section 50 of the Act" under the HSA to simplify the calculation of rent-g geared-to-income (RGI) assistance; and, Amendments to Ontario Regulation 367/11 "General" under the HSA to support RGI simplification.

At the January 9, 2020 Board meeting, information was presented outlining the details of these regulatory changes and the implementation plans from Administration. It was committed that Administration would return a report in February, 2020 identifying the required and recommended changes in the Local Service Standards.

COMMENTS

As a result of the regulatory changes, TBDSSAB has updated specific sections of the Local Service Standards. The following are the specific local rules that have been updated:

Section 5.15 – Refusals by Housing Provider

A housing provider does not have to make an offer of housing to an applicant on the Centralized Wait List in any of the following circumstances.

- All of the following criteria are satisfied:
 - i. Within the past five years,
 - a) the tenancy of a member of the household was ordered terminated by the Landlord and Tenant Board based on a notice of termination given under Section 61 of the *Residential Tenancies Act, 2006*, or
 - b) the occupancy of a member of the household in a member unit of a non-profit housing co-operative was ordered terminated by the Landlord and Tenant Board based on a notice of termination given under Paragraph 5 of Section 94.2 of that Act.
 - ii. The tenancy or occupancy that was ordered terminated was in a designated housing project.
 - iii. The order terminating the tenancy or occupancy has not been cancelled under Section 21.2 of the *Statutory Powers Procedure Act* or overturned under Section 210 of the *Residential Tenancies Act, 2006*.
 - iv. The order terminating the tenancy or occupancy was grounded on an illegal act, trade, business or occupation involving one or more of the following:
 - a) An illegal act, trade, business or occupation described in Clause 61(2)(a) or 94.4(4)(a) of the *Residential Tenancies Act, 2006*.

- b) The illegal production, distribution or sale of cannabis.
 - c) The trafficking of persons.
 - d) The use or attempted use of physical violence against another person.
 - e) Physical harm, attempted physical harm, or a risk of physical harm to another person.
 - f) The use of threats to, intimidation of, or harassment of another person.
- v. The housing provider has reasonable grounds to believe that accommodating the household would pose a risk to the safety of one or more other persons at the housing project.

Section 5.16 – Offers to Applicants

Applicants are given one (1) offer from their building selection list. This may be extended at the discretion of the TBDSSAB or housing provider where extenuating circumstances exist. Exceptions are at the discretion of TBDSSAB or the housing provider and are not subject to Internal Review and include the following:

- Medical/hospitalization
- Applicants that have been granted Special Priority status
- If a move will cause undue hardship to the household (Examples may include: children having to change schools mid-year, or a recent change in family composition that hasn't yet been updated on the housing application (within 30 days).
- TBDSSAB/housing providers are to record all offers and refusals of housing in Yardi Rent Cafe.
- Upon a household's refusal of a unit, the application will either be cancelled or, if the homeowner wishes to remain on the centralized waitlist their new chronological date will be the date of refusal.

Section 5.24 – 24 Months at Market Rent

To identify how a household may become ineligible for RGI assistance if they pay, for a period of 24-consecutive months market rent.

- A household that has been receiving RGI assistance ceases to be eligible for such assistance if, for a period of 24 consecutive months, the amount of rent paid by the household is the same as what the rent would be if the household were not receiving RGI assistance.
- Once a household has been paying market rent for 24 consecutive months, they no longer will be categorized as an RGI household.

These changes will be immediately updated in the Social Housing Administrative Guide and Local Service Standards and communicated to the Not-for-Profit Housing Providers upon Board approval.

FINANCIAL IMPLICATIONS



There are no financial implications associated with this report.

CONCLUSION

It is concluded that this report provides the Board with information on the changes and additions to the Local Service Standards, resulting from the regulatory changes to the *Housing Services Act, 2011* (HSA) as announced by the province of Ontario.

REFERENCE MATERIALS ATTACHED

None

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