

# **SHB** *notification*

**Subject: Amendments to Regulations under the  
Social Housing Reform Act, 2000**

- Legislation/Regulation  
 Operational

**Release 02-01**

Five of the regulations under the Social Housing Reform Act, 2000 (SHRA) were amended as of June 28, 2002. Most of the changes made through regulations to the SHRA were changes to provide for the transfer of projects which had been held back earlier. In total 33 projects were transferred to 11 service managers on July 1, 2002 through these amendments to the regulations and through transfer orders. In addition to changes made to enable the transfer of social housing projects that were excluded from earlier transfer, several changes and a number of clarifications to regulations under SHRA were made.

The following is a general synopsis of key changes only. Copies of the amending regulations are attached. However, these copies cannot be guaranteed to be the final wording so please consult the Ontario Gazette website at [www.ontariogazette.gov.on.ca](http://www.ontariogazette.gov.on.ca), for the actual legal amendments to the regulations. The regulations should be published in the Ontario Gazette by July 13<sup>th</sup>.

## **Transfer of Administration of Projects**

To implement the transfer of these projects various parts of the regulations were changed. Service level standards in Ontario Regulation 368/01 were modified upwards to include the projects transferred through this set of regulations. The tables in Ontario Regulation 298/01 and 456/01 and were amended to include supportive housing providers transferred July 1, 2002. The schedules in Ontario Regulation 369/01 were changed to add the projects transferred July 1, 2002. The table in Ontario Regulation 339/01 was changed to add the projects subject to Part VI of the SHRA transferred July 1, 2002.

## **Application of the Special Priority for Victims of Abuse**

Changes have been made to Ontario Regulations 298/01 and 339/01 to require that special priority must be given to victims of abuse who are eligible for special needs housing or apply for an internal transfer.

Amendments to sections 24 and 25 of O. Reg. 298/01 clarify that the same rules about applications for special priority apply to both applicants for special needs housing and applicants for rent-geared-to-income assistance. Rules about the ranking of special priority households on waiting lists for special needs housing have also been added to section 45 of this regulation. The rules are the same as those for ranking special priority households on waiting lists for rent-geared-to-income assistance.

These amendments to O. Reg. 298/01 ensure that applicants for special needs housing that have been experiencing abuse receive special priority in the same way as that they would if they did not require special needs housing and had applied for rent-gear-to-income assistance only. Applicants for special needs housing must still meet the eligibility requirements for special needs housing as described in section 19 of O. Reg. 298/01 (i.e. one or more members of the household require accessibility modifications or provincially-funded support services in order to live independently in the community).

Amendments to O. Reg. 339/01 allow a rent-gear-to-income household or special needs household that requests an internal transfer within their housing provider's portfolio to apply for special priority because they have been experiencing abuse. Rules have been added about how applications must be made, how communications with the applicant must be handled, and how eligibility for special priority status is to be determined. These rules are the same as those that apply to a service manager with respect to waiting lists for rent-gear-to-income assistance and to a supportive housing provider with respect to waiting lists for special needs housing.

Section 11 of O. Reg. 339/01 has been amended to clarify that special priority households rank higher on the waiting list for internal transfers than any other types of households (including over housed households). As is the case for applications for rent-gear-to-income assistance and special needs housing, an applicant that is at greater risk of being abused ranks higher than other special priority households.

## **Students Living at Home**

An amendment has been made to O. Reg. 298/01 to clarify that being away from home for short periods while attending a recognized educational institution does not in and of itself disqualify a household member from the special treatment of their income for rent calculation purposes that is provided in subsection 49 (3).

Amendments have also been made to subsection 50 (3) of O. Reg. 298/01 to limit the exemption of income of a full-time student to household members who also meet the criteria outlined in subsection 49 (3) of the regulation. This ensures that the regulation is consistent with policies used prior to devolution that exempted the income of full-time students only if they also met the definition of "secondary tenant" or "secondary wage-earner".

## **Providing Information to Applicants**

Section 60 of O. Reg. 298/01 requires that a service manager make information about rent-gear-to-income assistance and special needs housing available to members of the public to copy at their own expense. This section has been amended to add a new requirement that a copy of this information be given to each household applying for rent-gear-to-income assistance at the time they first make their application. The list of information that must be provided has also been expanded to include information about the opportunity to comment and the internal review process.

A parallel amendment has been made to O. Reg. 339/01 to require a supportive housing provider to give the information specified in section 60 of O. Reg. 298/01 to applicants for special needs housing at the time they make their application.

These changes ensure that all applicants are informed about the rules governing rent-geared-to-income assistance and about how they can ask for a review of decisions that are made about their application.

## **Other Changes**

There were a number of changes made to Ontario Regulation 339/01 to clarify the intent or to improve the wording.

New subsections have been added to section 16 of the regulation which deals with the selection of households for modified units or for units with support services. These sections clarify that the supportive housing provider passes on information about the selected household to the service manager so that the service manager can determine the household's eligibility for RGI assistance. The additions also clarify that the household, if eligible, can receive RGI assistance even if the provider is above their RGI target.

The wording in paragraph 3 iii of section 21 (1) was modified to so that it refers to leases and agreements and not just leases. Section 32 was amended to clarify that either the index for projects heated with electricity or the index for projects heated with a fuel other than electricity applies to a project.

Section 33 (2) (a), which deals with housing projects located in areas where section 110 (2) of the SHRA applies, was amended to change housing units to housing projects. Section 37 (2), dealing with insurance, was amended to correct the name of the Social Housing Services Corporation.