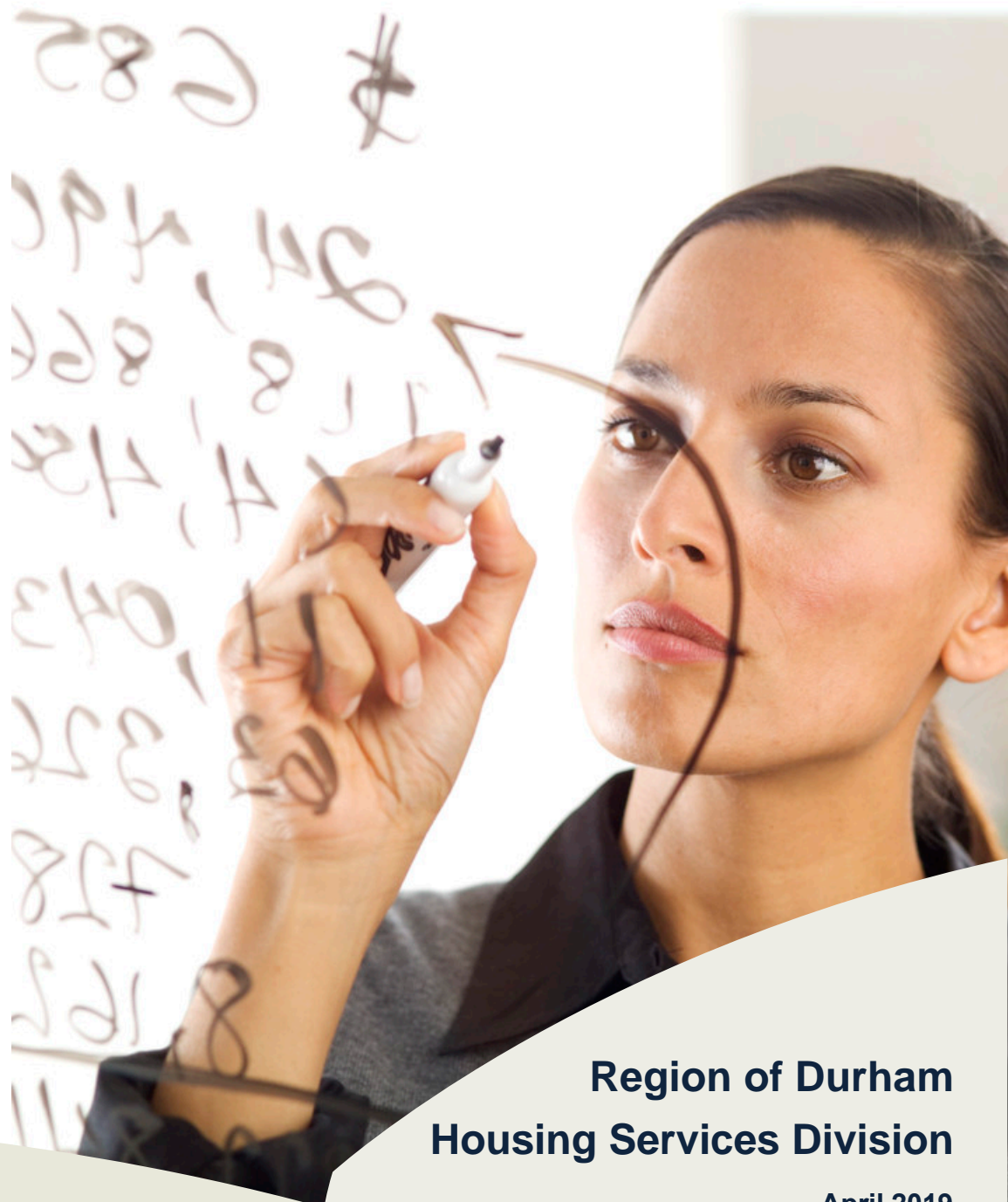




DURHAM REGION

# RGI GUIDE

## RENT-GEARED-TO-INCOME



**Region of Durham  
Housing Services Division**

**April 2019**

If this information is required in an accessible format, please contact  
905-668-7711, ext. 2463 or 1-800-372-1102, ext. 2463.

## Introduction

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The Durham Region RGI Guide is intended for use by staff of the Region of Durham and social housing providers under service agreement with the Region of Durham to administer rent-geared-to-income (RGI) assistance under the *Housing Services Act*.

The guide is separated into eight units, some of which are further divided into sections:

### **Sections 1–3: Applications for Rent-Geared-to-Income (RGI)**

- Section 1: DASH Wait List Rules
- Section 2: Transfer Applications
- Section 3: In-situ Applications

### **Sections 4–8: Rent-Geared-to-Income (RGI) Eligibility**

- Section 4: RGI Eligibility – Overview
- Section 5: Income Limits
- Section 6: Asset Limits
- Section 7: Notice of Changes and Failure to Provide Information
- Section 8: Pursuit of Income

### **Sections 9–16: Rent-Geared-to-Income (RGI) Calculations**

- Section 9: Calculation of RGI – Overview
- Section 10: Excluded Income
- Section 11 Quarterly Reporting Reviews
- Section 12: Ontario Works Benefit Units
- Section 13: ODSP Benefit Units
- Section 14: Utility Adjustments
- Section 15: Minimum and Maximum Rent

- Section 16: Pro-rated RGI

## **Section 17: Occupancy Standards and Overhoused Households**

## **Section 18: Regional Review Process**

## **Section 19: Letter Templates**

## **Section 20: Forms**

## **Section 21: Resources**

Each section is separated by tabs in the guide. Page numbers reference the section number and the page number within the guide. For example:

- RGI Eligibility – Overview is Section 4.  
This section starts on Page 4-23.

This guide compliments the *Housing Services Act* and its regulations as well as the local rules established by the Region of Durham that are issued as Durham Social Housing Directives. Users can access the legislation and directives online.

## **Legislation and Regulations**

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The Housing Services Act and its regulations are available online under Consolidated Laws at the [Service Ontario e-Laws website](http://www.ontario.ca/laws) at [www.ontario.ca/laws](http://www.ontario.ca/laws).

The *Housing Services Act*, Part V and Part X sets the framework for RGI administration, but most of the detail can be found in the following regulations:

### **Ontario Regulation 367/11, Part VI and Part XI**

- RGI Eligibility
- RGI Notices
- Reviews/Appeals

### **Ontario Regulation 298/01**

- RGI Calculations

## Durham Social Housing Directives

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Durham Social Housing Directives set out local policies related to social housing operations, financial reporting and funding, waiting list administration and RGI administration.

All Durham Social Housing Directives are issued to housing providers by email at the time they are first released and are also available online in the Housing Services section of the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing).

This Guide was last updated in April 2019.



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# 1. DASH Wait List Rules

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## Purpose

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To set out the rules for the system for the selection of households from the Durham Access to Social Housing (DASH) wait list for rent-geared-to-income (RGI) and modified housing units.

## General Rules

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Durham Access to Social Housing (DASH) is responsible for the administration of the wait list for RGI assistance and for modified units. DASH operates out of the Housing Services Division.

The DASH wait list is comprised of:

- Applicants for RGI assistance
- Applicants for a modified unit
- Current RGI tenants and co-op members requesting transfer to a different housing provider.
- Current tenants and co-op members in modified units or RGI units requesting transfer to a modified unit with a different housing provider.

All applicants must complete either the Application for Rent-Geared-to-Income (RGI) or Modified Housing form or the Application for Transfer form, as well as the Regional Consent to Disclosure of Information and Documents form. Only applicants who have been determined eligible for RGI and/or a modified unit are placed on the wait list.

Applicants will be removed from the DASH wait list if they:

- become ineligible for RGI assistance and/or a modified unit
- accept an offer of RGI or a modified unit from a housing provider in Durham
- request to be removed from the DASH wait list.

RGI applicants will not be removed from the DASH wait list if they accept an offer of emergency shelter or temporary housing provided while receiving treatment or counselling, even if RGI assistance is provided for these types of housing.

## Eligibility Reviews

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DASH reviews, but does not verify, the eligibility of applicants for RGI and/or modified units at the time of application and every 12 months thereafter.

- DASH does not normally verify eligibility for RGI, but may request verification documentation as required.
- DASH will verify eligibility for modified units at the time of application only, or if the applicant declares a change in circumstances.
- DASH verifies arrears and repayment agreements on the local and provincial arrears databases at the time of application and every 12 months thereafter.

Housing providers are responsible for verifying eligibility for RGI and/or a modified unit at the time of offer.

## Priority on the DASH Wait List

---

Eligible applicants are placed on the DASH wait list according to the date that they applied for, or requested transfer to, an RGI or modified unit. Applicants with earlier application dates have higher priority on the DASH wait list.

Additionally, there are three priority categories on the DASH wait list. Applicants in these categories have higher priority on the DASH wait list than applicants outside these categories. Applicants are ranked within each category according to the date of their application for RGI or request for transfer. The three priority categories, in order of priority on the DASH wait list, are:

- Overhoused – RGI tenants and co-op members who have been placed on the DASH wait list to move to a smaller unit
- Special Priority (SPP) – victims of domestic violence

- Critical priority applicants – applicants with extraordinary and unusual expenses that make the payment of market rent unreasonable.

## RGI Vacancies

---

When a housing provider has a vacancy (other than a vacancy for a modified unit), the housing provider must determine whether the vacancy should be offered to an RGI applicant or to a market rent/housing charge applicant.

The housing provider will compare the number of RGI units in its project, not including the vacant unit, to its RGI target.

- If the number of RGI units is below the target, the vacant unit is offered to an RGI applicant or RGI transfer applicant.
- If the number of RGI units is at or above the target, the vacant unit is offered to a market rent/housing charge paying applicant or tenant/co-member requesting transfer.

## Modified Unit Vacancies

---

Vacancies for modified units are offered to eligible applicants or transfer applicants who are eligible for the modification regardless of their eligibility for RGI or the housing provider's RGI target.

If the modified unit applicant is also eligible for RGI, the applicant is charged RGI upon moving into the modified unit regardless of the housing provider's RGI target.

## DASH Vacancies Site

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The DASH Vacancy Site is part of the [Region of Durham's \(DASH\) website](http://www.durham.ca/dash) at [www.durham.ca/dash](http://www.durham.ca/dash). Applicants on the DASH wait list for an RGI or modified unit are able to log in to the site to view and express interest in vacancies with social housing providers and private landlords who offer rent supplement under agreement with the Region of Durham.

Applicants are restricted from seeing vacant units for which they are not eligible. Specifically:

- Applicants can only view vacancies within the allowable range of occupancy standards for their household size
- Only senior applicants can view vacancies mandated for seniors
- Only eligible modified unit applicants can view modified unit vacancies.

Housing providers report RGI and modified unit vacancies to DASH who then post these vacancies to the DASH Vacancies Site for seven days. At the completion of seven days, DASH selects the highest ranked applicant who expressed interest in the posted vacancy, and refers this applicant to the housing provider for offer.

## Notice of Vacancy

---

Housing providers must notify DASH if they have a vacant RGI unit or modified unit that will be offered to an applicant on the DASH wait list. If the vacancy will be offered to a tenant/co-op member on the housing provider's internal transfer list, DASH does not need to be notified (see Internal Transfers below).

Housing providers should only notify DASH about a vacancy if they intend to contact the applicant at the completion of the seven day posting to view the unit (or a similar unit). If the unit (or a similar unit) is not ready to be viewed, or the housing provider is not otherwise prepared to engage with a prospective tenant/co-op member, the housing provider should wait to notify DASH of the vacancy.

For example:

A housing provider obtains vacant possession of a unit and finds that the previous tenant/co-op member has caused extensive damage that will require at least a month to repair. The housing provider is not prepared to show the unit until repairs have been completed.

The housing provider will not notify DASH about the vacancy until about seven days before the repairs are expected to be completed.

A housing provider has a vacancy and wants to paint the unit before the new tenant/co-op member moves in. This will probably take two weeks. The housing provider is prepared to show the unit to a prospective tenant/co-op before the painting is completed.

The housing provider should immediately notify DASH of the vacancy.

A tenant/co-op member gives the housing provider 60-day notice of move-out. The housing provider has informed the current tenant/co-op member that they will be showing the unit to new prospective tenants/co-op members.

The housing provider should immediately notify DASH of the vacancy.

Housing providers should use the DASH Communication Tool to notify DASH of vacancies. Vacancies are recorded in the RGI and/or Modified Unit Vacancy section of the form. Housing providers should include sufficient information for DASH to accurately post the vacancy to the DASH Vacancies Site.

Housing providers are encouraged to include additional detailed information about the vacancy to help applicants make an informed choice about whether or not to express interest in the vacancy. For example, the housing provider may want to include information about:

- Parking availability and/or costs
- Balconies, patios, garages, basements
- Stairs or number of floors in the unit
- Type of flooring in the unit (e.g. carpeting) or new paint in the unit
- Sector support charges (co-op providers)
- Storage available at the housing property
- Location of the unit within the property (e.g. on first floor, end townhouse unit, facing street, etc.)



- Details about accessibility features in units that are not fully modified (e.g. grab bars, lowered cupboards).

If the vacancy is for a fully modified unit, the housing provider must provide details about the modifications in the unit. This will help applicants to determine if the modifications meet their needs before expressing interest in a vacancy, and allow DASH to refer the most suitable applicant for the vacancy.

## Referrals and Outcomes

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All RGI and modified unit vacancies reported to DASH are posted to the DASH site for seven days. After seven days, DASH selects the highest ranked applicant who expressed interest in the posted vacancy, and refers this applicant to the housing provider.

When DASH makes a referral, they will send the housing provider the Housing Provider Summary. The housing provider will contact the applicant directly, or alternate contact if provided, to make an offer, and notify DASH of the outcome of the referral – normally within 72 hours. Outcomes may be:

- applicant accepted offer and will be moving into the unit
- applicant refuses or turns down the offer
- applicant is deemed to have refused the offer because they did not respond to reasonable requests to contact the housing provider
- housing provider denied the offer/refused to offer the unit to the applicant.

If the first applicant referred does not accept the offer, DASH will select the next highest ranked applicant who expressed interest in the posted vacancy, and refer this applicant to the housing provider. The provider must notify DASH of the outcome of this referral – normally within 72 hours.

Housing providers should use the DASH Communication Tool to notify DASH of the outcome of referrals. This information is recorded in the Referrals and Offers section of the form.

## Denials/Refusals of Offers

---

Housing providers may deny/refuse to offer a unit to an applicant referred by DASH for the following reasons:

- the vacancy is for a seniors' unit and no one in the applicant's household is over the age of 60
- based on rental history, the housing provider reasonably believes that the applicant may not pay rent/housing charge on time or in full
- the applicant has been denied membership in the co-operative housing provider with the vacancy
- the vacancy is for shared accommodation and the housing provider believes that it is unreasonable for the applicant to reside in shared accommodation

When a housing provider denies/refuses to offer a unit to an applicant for any of the above reasons, it must:

- notify the applicant of the denial and the reasons for refusal
- provide the applicant with an opportunity to have the denial reviewed by the housing provider
- notify DASH of the denial and the reasons for the denial.

If the housing provider has previously denied/refused to offer to the same applicant for any of the above reasons, it only needs to notify DASH.

The housing provider may also deny/refuse to offer a unit to an applicant if:

- the size of the applicant's household does not fall within the allowable occupancy standards for the unit
- the vacancy is for an RGI unit, and the applicant is ineligible for RGI
- the vacancy is for a modified unit, and the applicant does not require the modifications available in the unit.

In these circumstances, the housing provider only needs to notify DASH of the reasons for the denial. DASH will notify the applicant and provide information about the right to request a Regional Review, as applicable.

## Internal Transfers

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Housing providers are permitted to offer a vacant RGI and/or modified unit to a current RGI and/or modified unit tenant or co-op member without recourse to the DASH wait list. This is called an internal transfer.

Housing providers are responsible for managing their own internal transfer wait lists. Housing providers do not need to notify DASH when they transfer an RGI and/or modified unit tenant or co-op member, unless they are also on the DASH waiting list or the housing provider is unsure if they are on the DASH wait list.

Housing providers are encouraged to have a policy, guideline or bylaw related to internal transfers. This will ensure transparency in their process. Housing providers must ensure that their internal transfer policies and procedures include that RGI and/or modified unit tenants or co-op members who are:

- overhoused have higher priority on the internal transfer wait list than other internal transfer requests
- eligible for SPP status have higher priority on the internal transfer wait list than other internal transfer requests, except those who are overhoused.

SPP status is determined by DASH. If a tenant or co-op member requests SPP status for an internal transfer, the file must be referred to DASH for assessment. The housing provider must advise DASH that the tenant is already residing in an RGI or modified unit and has requested an internal transfer only. DASH will notify the tenant/co-op member and the housing provider of the outcome of the SPP application.

## In-Situ Applicants

---

Market paying tenants and co-op members of housing providers can apply for RGI in their current unit directly with their housing provider. This is called an in-situ application.

Housing providers may offer RGI to an in-situ applicant, without recourse to the DASH wait list in approved circumstances as set out in Directive RGI 2017-01.

If a housing provider has more than one in-situ applicant, the housing provider must ensure that eligible in-situ applicants with SPP status are offered RGI before other in-situ applicants, and in-situ applicants are otherwise offered RGI chronologically according to the date of their application.

## Communication with DASH

---

Housing providers must promptly advise DASH when they know of changes related to their tenants or co-op members who are also on the DASH wait list. This will ensure that all housing providers have as accurate information as possible at the time of offer.

Housing providers are required to promptly notify DASH of the following:

- offers of housing
- refusals to offer housing
- money owed for arrears, damages or misrepresentation
- court findings of misrepresentation or fraud in relation to the receipt of RGI
- RGI ineligibility, move-outs and changes to transfer requests, if the tenant or co-op member is a transfer applicant on the DASH wait list
- changes to contact information, household composition or other information that may be required by other housing providers at the time of offer.

Housing providers are encouraged to use the DASH Communication Tool to communicate with DASH. The Tool is divided into four sections:

- RGI and or Modified Unit Vacancy section – to notify DASH of vacancies that will be posted to the DASH Vacancies site
- Referrals and Offers section – to notify DASH of the outcome of an offer to an applicant on the DASH wait list
- Transfer Applicant Changes section – to notify DASH of changes regarding a current RGI and/or modified unit tenant or co-op member who is on the DASH wait list for transfer

- Arrears section – to notify DASH of new or updated arrears incurred by former tenants or co-op members.

A sample of the DASH Communication Tool is set out in Section 20 – Forms. Housing providers may send the completed Tool to DASH by email to [housingservices@durham.ca](mailto:housingservices@durham.ca), with subject line “DASH Vacancy.”

Housing providers may also communicate with DASH via:

- telephone at 905-666-7711 or 1-800-372-1102
- email to [housingservices@durham.ca](mailto:housingservices@durham.ca), subject line “DASH Vacancy”
- mail to Housing Services, 605 Rossland Road East, Whitby L1N 6A3, Attention: DASH
- Regional courier (where applicable) to Housing Services (DASH), 605 Rossland Road East, Whitby, Attention: DASH.

## **Legislative Authority**

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Housing Services Act, s.47-49, and s. 62-64  
Ontario Regulation 367/11, s. 45-58, and s. 74-79

## 2. Transfer Applications

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### Purpose

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To set out the rules and procedures for rent-geared-to-income (RGI) or modified housing tenants and co-op members requesting transfers to another unit.

### Overview

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Rent-geared-to-income (RGI) tenants and co-op members that want to transfer to a different RGI or modified unit must submit their request to their housing provider. The housing provider will determine if the request is for:

- an internal transfer to another unit with the same housing provider
- a transfer to a unit with a different housing provider.

Requests for internal transfers are considered according to the housing provider's internal transfer policy, by-law or rules. The housing provider is responsible for maintaining their own internal transfer wait list.

RGI or modified housing tenants and co-op members requesting a transfer to a different housing provider must complete the Application for Transfer form and return it to their current housing provider. The housing provider will forward the Application for Transfer to Durham Access to Social Housing (DASH) to place the tenant or co-op member on the DASH wait list.

When a housing provider has a vacant RGI or modified unit, they will determine if the vacancy should be filled from their internal transfer list prior to having it posted to the DASH Vacancies Site.

### Internal Transfers

---

RGI tenants or co-op members that want to transfer only to a unit with their current housing provider are requesting an internal transfer. The housing provider maintains the wait list for its own internal transfers.

Housing providers should have internal transfer policies or by-laws to ensure that their decisions are fair and transparent. Internal transfer procedures and any related policy, bylaw or rule must ensure that RGI tenants or co-op members who are eligible for special priority status (SPP) have priority for transfer.

RGI tenants and co-op members may be placed on both the internal transfer list and the DASH wait list at the same time.

## Transfers to Other Housing Providers

---

RGI tenants or co-op members who want to transfer to a different housing provider must complete the Application for Transfer form (see Section 20 – Forms) and submit it to their current housing provider. The housing provider will:

- Review the form for completeness
- Complete the “To be completed by housing provider” section of the form
- Send the form to DASH
- Keep track of all current RGI tenants/co-op members who have made applications for transfer to DASH.

Housing providers must notify DASH if the RGI tenant or co-op member is on the DASH wait list for transfer and:

- no longer wants to transfer or is no longer required to transfer
- moves out
- is no longer eligible for RGI
- accepts an offer of an internal transfer
- refuses an offer of an internal transfer
- changes telephone numbers or other contact information.

## Arrears

---

Tenants or co-op members with current or past arrears will not normally be placed on the DASH wait list for transfer until their arrears have been paid.

Housing providers who want an exception to this rule should indicate the reasons on the Application for Transfer form.

## Modified Units

---

Tenants or co-op members that want to transfer to a modified unit must provide verification of the need for the modified unit. If the tenant or co-op member is to be placed on the DASH wait list, the housing provider should detail the need for the modification on the Application for Transfer form and attach verification for DASH.

If the tenant or co-op member is already in a modified unit, they do not need to produce new verification unless the need for the modifications has changed.

## Overhoused Transfers

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Overhoused RGI tenants and co-op members who have been overhoused for 12 consecutive months may be required to transfer to a smaller unit to continue to be eligible for RGI in their current unit. However, they may choose to move at any time.

When an overhoused RGI tenant or co-op member is notified that they must move to a smaller unit, they must be on the:

- housing provider's internal transfer list to transfer to a smaller unit
- DASH wait list to transfer to a smaller unit, if they have refused one offer of an internal transfer to a smaller unit
- DASH wait list to transfer to a smaller unit, if their housing provider does not have the smaller unit size in their portfolio.

In order to remain eligible for RGI, overhoused RGI tenants and co-op members on the DASH wait list:



- must be registered on the DASH Vacancies Site and actively viewing and expressing interest in vacancies
- cannot refuse more than three offers to transfer to a smaller unit, including any internal transfer offers made after 12 months.

See Section 17 – Occupancy Standards and Overhoused Households for more information.

## **Special Priority (SPP)**

---

If an RGI tenant or co-op member requests a transfer because they are a victim of human trafficking or because they want to separate from someone who is abusing them (or have separated within the last three months from someone who was abusing them), they must be referred to DASH to be assessed for special priority (SPP) eligibility. Tenants or co-op members that are eligible for SPP have priority on the internal transfer list and the DASH list.

If the request is for an internal transfer, the housing provider should contact DASH and advise that the applicant has requested an internal transfer and SPP. DASH will send the tenant/co-op member an SPP application and notify the tenant/co-op member and the housing provider of the outcome. The housing provider may assist the tenant or co-op member with the SPP application if the tenant or co-op member requests this.

If the request is for a transfer to a different housing provider, the tenant or co-op member should note on the Application to Transfer form that they want to transfer due to human trafficking or abuse.

## **Offers and Transfers**

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DASH will notify the current housing provider when an RGI tenant or co-op member on the wait list for transfer is referred to another housing provider. DASH will also notify the current housing provider of the outcome of the referral, including the move-in date if the offer is accepted.

## **Legislative Authority**

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Ontario Regulation 367/11, s. 46, 47

### 3. In-situ RGI Applications

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#### Purpose

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To establish guidelines for determining rent-geared-to-income (RGI) eligibility for market paying tenants and co-op members living with housing providers in Durham.

#### Overview

---

Market paying tenants and co-op members of housing providers may apply for RGI in their current unit. This is called an in-situ application, and it is made directly to the housing provider.

Housing providers may offer RGI to an in-situ applicant, without recourse to the Durham Access to Social Housing (DASH) wait list, if all of the following apply:

- The tenant/co-op member is eligible for RGI
- The housing provider is below target for RGI units
- The tenant lives in a unit within the allowable range of occupancy standards
- The tenant/co-op member has lived with the current housing provider for at least 12 months
- The tenant/co-op member's monthly shelter costs are more than 50% of gross household income
- The tenant/co-op member has had a recent, significant and unexpected change in circumstances that has led to the application for RGI.

If a housing provider has more than one in-situ applicant, the housing provider must ensure that eligible in-situ applicants with Special Priority (SPP) status are offered RGI before other in-situ applicants. In-situ applicants are otherwise offered RGI chronologically according to the date of their application.

## **RGI Application and Eligibility**

---

In-situ applicants must complete the Application for Rent-Geared-to-Income (RGI) and Modified Housing form, as well as the Regional Consent to Disclosure of Information and Documents form, and return them to their current housing provider.

The housing provider (not DASH) is responsible for determining RGI.

### **In-situ applicant is ineligible for RGI**

---

If the in-situ applicant is eligible for RGI, the housing provider will:

- Notify the tenant or co-op member that they are ineligible for RGI, including the reason for ineligibility and the right to request a Regional Review
- Notify DASH of the in-situ application and that the tenant or co-op member is RGI ineligible, including the reason for ineligibility
  - If the in-situ applicant is also on the DASH waiting list, DASH will change the status of the application to Cancelled.
  - If the in-situ applicant is not on the DASH wait list, no further action is required.

### **In-situ applicant is eligible for RGI**

---

If the in-situ applicant is eligible for RGI, the housing provider will determine if they also meet the criteria to grant immediate in-situ RGI without recourse to the DASH wait list. If they do, the housing provider will:

- Determine the RGI payable and notify the tenant or co-op member, including the right to request a Regional Review.
- Notify DASH of the in-situ application and that the tenant or co-op member has been granted RGI.
  - If the in-situ applicant is also on the DASH waiting list, DASH will change the status of the application to Cancelled.
  - If the in-situ applicant is not on the DASH wait list, no further action is required.

### **In-situ applicant is eligible for RGI but housing provider is above target**

---

If the in-situ applicant is eligible for RGI but does not meet the criteria for immediate in-situ RGI only because the housing provider is at or above target, the housing provider will notify the tenant or co-op member that there is no current RGI subsidy available. The tenant or co-op member can opt to wait for subsidy to become available with their current housing provider or be added to the DASH wait list.

- If they opt to wait for subsidy to become available, it is the housing provider's responsibility to manage this. The housing provider does not need to notify DASH.
- If they opt to be placed on the DASH wait list, the housing provider will forward to DASH:
  - Copy of notice to the tenant or co-op member that they are ineligible for immediate in-situ RGI
  - Original Application for Rent-Geared-to-Income (RGI) and Modified Housing form
  - Original Regional Consent to Disclosure of Information and Documents form.
  - DASH will place the applicant on the wait list.

### **In-situ applicant is eligible for RGI but does not meet other in-situ criteria**

---

If the in-situ applicant is eligible for RGI but does not meet the criteria for immediate in-situ RGI (other than for target), the housing provider will notify the tenant or co-op member that they are ineligible for immediate in-situ RGI but may be added to the DASH wait list for RGI in a different unit. The housing provider must include the reasons for ineligibility and the right to request a Regional Review.

- If the tenant or co-op member does not want to be placed on the DASH wait list, no further action is required.

- If the tenant or co-op member wants to be placed on the DASH wait list, the housing provider will forward to DASH:
  - Copy of the notice to the tenant or co-op member that they are ineligible for immediate in-situ RGI
  - Original Application for Rent-Geared-to-Income (RGI) and Modified Housing form.
  - Original Regional Consent to Disclosure of Information and Documents form.
  - DASH will place the applicant on the wait list.

## Special Priority (SPP)

---

SPP status is determined by DASH. If an in-situ applicant indicates on their Application for Rent-Geared-to-Income (RGI) and Modified Housing form that they want to apply for SPP, the housing provider must determine when to send the application to DASH to assess for SPP status.

If the in-situ applicant is not eligible for RGI, no action is required. DASH does not need to assess for SPP status.

If the in-situ applicant is eligible for immediate in-situ RGI and the housing provider has no other in-situ applicant requests, no action is required. DASH does not need to assess for SPP status.

If the in-situ applicant is eligible for immediate in-situ RGI and the housing provider has other in-situ applicant requests, the housing provider must send the application to DASH to assess for SPP status.

- The housing provider will send copies of the Application for Rent-Geared-to-Income (RGI) and Modified Housing form and the Regional Consent to Disclosure of Information and Documents form to DASH.
- DASH will notify the tenant/co-op member and the housing provider of the outcome of the SPP application.
- DASH will record the application with a status of Cancelled.

If the in-situ applicant does not meet the criteria to grant immediate in-situ RGI, but is otherwise RGI eligible and wants to be placed on the DASH

wait list for a different unit, the housing provider must send the application to DASH to assess for SPP status.

The housing provider will forward to DASH:

- Copy of notice to the tenant or co-op member that they are ineligible for immediate in-situ RGI
- Original Application for Rent-Geared-to-Income (RGI) and Modified Housing form
- Original Regional Consent to Disclosure of Information and Documents form.

DASH will assess for SPP and place the applicant on the DASH wait list accordingly.

## RGI Targets

---

Housing providers must normally be below target for RGI before offering immediate in-situ RGI to a current tenant or co-op member.

Housing providers may request approval from the Housing Services Division to temporarily exceed their RGI target in order to accommodate a request for in-situ RGI.

## Occupancy Standards

---

In-situ applicants must normally be living in a unit within the allowable range of occupancy standards in order to be eligible for in-situ RGI.

Housing providers may grant immediate in-situ RGI to a tenant or co-op member living in a smaller unit at their discretion.

Housing providers may grant immediate in-situ RGI to a tenant or co-op member living in a larger with the approval of the Housing Services Division. If approved, the tenant or co-op member will be required to move to a smaller unit as soon as one becomes available. Exceptions to occupancy standards will not be approved if the housing provider does not offer any units within their applicable range of occupancy standards.

## 12 Months' Residency

---

In-situ applicants must normally have been living in their current housing provider for at least 12 months.

Housing providers may grant immediate in-situ RGI to tenants or co-op members who have lived in their unit for less than 12 months in extenuating circumstances (e.g. death of a spouse).

## Shelter Costs

---

In order to be eligible for in-situ RGI, a tenant or co-op member's monthly market shelter costs must have increased to more than 50% of their gross household income.

Shelter costs include:

- Current market rent or housing charge
- Average fuel and electricity costs
- Sector support costs
- Mandatory cable, parking or other costs associated with the rent or housing charge
- Tenant or member insurance paid for their unit

Housing providers may average income and costs over whatever time frame they deem reasonable, and should round ratios up to the nearest whole percentage

## Significant and Unexpected Change

---

In order to be eligible for in-situ RGI, a tenant/co-op member must have had a recent, significant and unexpected change in circumstances that led to their application for in-situ RGI.

Housing providers will determine if the change could not reasonably have been expected and whether it is significant. Housing providers should exercise their discretion in the best interest of the tenant or co-op member and their communities.

## **Current Tenants on DASH Wait List**

---

Current market paying tenants and co-op members may be on the DASH wait list and may express interest in vacancies posted by their current housing provider. If DASH refers a current market tenant or co-op member for a vacancy in the same property in which they live, the housing provider may offer them RGI in their current unit. The vacant unit may then be offered to a market applicant or the next DASH applicant, as applicable.

## **Legislative Authority**

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Ontario Regulation 367/11, s. 48





## 4. RGI Eligibility – Overview

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### Purpose

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To outline the basic eligibility requirements for rent-geared-to-income (RGI) assistance.

### Summary of Rules

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In order to be eligible for rent-geared-to-income (RGI) assistance, the tenant or co-op member must meet the following requirements:

- At least one member of the household must be 16 years old or older and able to live independently with or without support services.
- All members of the household must have status in Canada or be applying for status.
- Total household assets must be within the applicable asset limit.
- Total household income must be within the applicable income limit (applicants and incoming RGI tenants or co-op members only)
- The tenant or co-op member's RGI has not been equal to the market rent or housing charge for 12 consecutive months.
- The RGI tenant or co-op member must pursue certain types of income as requested by the housing provider.
- All members of the household cannot be absent from the unit for more than 60 consecutive days or 90 cumulative days in a 12 month period.
- The RGI tenant or co-op member must divest themselves of property suitable for year round occupancy.
- The RGI tenant or co-op member must notify their housing provider of any changes to income, assets and household composition as soon as they occur.
- The RGI tenant or co-op member must update their information at least once a year as requested by the housing provider.

- Overhoused RGI households cannot refuse more than three offers to transfer to a smaller unit.
- No member of the household can owe arrears for rent, damages or misrepresentation of income without a repayment agreement (applicants and incoming RGI tenants or co-op members only).

## **Status in Canada**

---

In order to be eligible for RGI assistance, all members of the RGI household must be one of the following:

- a Canadian citizen
- a permanent resident or have applied for status as a permanent resident
- a refugee claimant

Additionally, there can be no removal order that has become enforceable under the *Immigration and Refugee Protection Act* (Canada) against any member of the household.

## **Applications for Permanent Residence Status**

---

In some circumstances, a member of the household may not have status in Canada. The RGI tenant or co-op member can still be eligible for RGI assistance if the person is in the process of applying for permanent residency. This may occur if a member of the household is:

- sponsoring a spouse or dependent child from within Canada
- a holder of a temporary resident permit (formerly called a Minister's Permit) who has lived continuously in Canada for at least three to five years.

Applicants for permanent residence status will normally be required to provide a letter from Immigration, Refugees and Citizenship Canada (IRCC) verifying that they have applied for permanent residence status but that a decision has not yet been made.

The housing provider must follow up on the progress of the application for permanent residency until a decision is reached. This can be done at the

time of the annual RGI review or more frequently at the discretion of the housing provider.

There is no limit to the length of time that a member of the RGI tenant or co-op member can be pending permanent residence status and still be eligible for RGI assistance.

In cases where one member of the RGI tenant or co-op member intends to sponsor another member of the RGI tenant or co-op member but has not yet made application to IRCC, the RGI tenant or co-op member may continue to be eligible for RGI for up to 12 months pending the application for permanent residency. An extension to this time frame can be given at the discretion of the Housing Services Division.

Temporary residence permit holders are not eligible for RGI assistance unless they have a current application for permanent residency verified by IRCC.

### **Verification of Canadian Citizenship**

---

Acceptable verification of Canadian Citizenship includes:

- Canadian birth certificate
- Canadian passport
- Canadian citizenship certificate (wallet card)
- Statement of Live Birth from the Office of the Registrar General in Ontario (or other provincial entity responsible for birth registration)
- Notice of Birth Registration from the Office of the Registrar General in Ontario (or other provincial entity responsible for birth registration)
- Secure Certificate of Indian Status
- Native band records
- Naturalization certificate (issued before January 1, 1947)
- Registration of Birth Abroad certificates (issued between January 1, 1947 and February 14, 1977)
- Certificates of Retention (issued between January 1, 1947, and February 14, 1977)

- Religious records (e.g. Baptismal certificate) if born in Canada and noted on record
- Military records

### **Verification of Permanent Residency**

---

Acceptable verification of Permanent Residency includes:

- Permanent Resident Card
- Immigrant Visa and Record of Landing issued before June 28, 2002 (Landing papers)
- Confirmation of Permanent Residence (COPR)
  - issued to refugees under certain designated classes (e.g. Convention Refugees) at the time of their resettlement in Canada
  - these refugees are permanent residents and will also automatically receive a Permanent Resident card shortly after their resettlement

### **Verification of Application for Permanent Residency**

---

Acceptable verification of application for permanent residency includes:

- Written notice from Immigration, Refugees and Citizenship Canada (IRCC) of the application for permanent residency
- Written notice from the Immigration Appeal Division (IAD) of the IRB that it has received an appeal of a removal order and the removal order has been temporarily set aside or stayed
- If the IAD upheld the removal order on appeal or the appeal was denied, written notice from the Federal Court of Canada that the person has applied for leave for judicial review or that the decision is currently under review

### **Verification of Status as Refugee Claimant**

---

Acceptable verification of a refugee claim for asylum (made from within Canada) includes:

- Written notice from the Immigration and Refugee Board of Canada (IRB) that the refugee claim is under consideration or in pre-removal risk assessment
- Written notice from Immigration, Refugees and Citizenship Canada (IRCC) that the refugee claim is under consideration by the Immigration and Refugee Board of Canada (IRB) or in pre-removal risk assessment
- If the refugee claim was denied by IRB, written notice from the Federal Court of Canada that the person has applied for leave for judicial review or that the decision is currently under review

This does not apply to re-settled refugees (sponsored from outside of Canada for resettlement) who become permanent residents upon entry to Canada.

## Income Limits

---

In order to be eligible for RGI assistance, an applicant's total household income must be within the allowable income limits:

Bach/1 Bed	2 Bed	3 Bed	4+ Bed
\$42,000	\$47,000	\$53,000	\$71,000

Income limits apply in relation to the largest unit for which the RGI tenant or co-op member is eligible under the occupancy standards.

Income limits apply only to new applicants and incoming RGI tenants or co-op members. They do not apply to current RGI tenants or co-op members or to applicants for in-situ priority status.

Income limits and income exemptions are set out in Section 5 – Income Limits.

## Asset Limits

---

In order to be eligible for RGI, a tenant or co-op member must have assets that are no more than:

- \$50,000 for a single person

- \$75,000 for a couple without children or for a family with children.

Some types of assets are excluded from consideration under the asset limits.

Asset limits and asset exemptions are set out Section 6 – Asset Limits.

## Notice of Changes and Failure to Provide Information

---

RGI tenants or co-op members must report a change in income, assets and living situation to their housing provider **as soon as the change occurs**.

RGI tenants or co-op members who fail to report a change at the time it occurs may be deemed ineligible for RGI assistance if the change remains unreported at the time of the next annual review.

When a housing provider requests information or documentation, it should normally give the RGI tenant or co-op member at least 10 business days to submit the information. Housing providers may extend this deadline at any time.

RGI tenants or co-op members that do not submit requested information by the deadline may be deemed ineligible for RGI assistance.

See Section 7 – Notice of Changes and Failure to Provide Information for more information.

## Pursuit of Income

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An RGI tenant or co-op member may be required to pursue the following types of income in order to be eligible for RGI:

- Ontario Works
- Child support payments
- Employment Insurance Benefits
- Old Age Security, Guaranteed Annual Income or GAINS
- Immigration sponsorship payments

See Section 8 – Pursuit of Income for more information.

## **Absence from Unit**

---

An RGI tenant or co-op member ceases to be eligible for RGI assistance if all members of the household have been absent from the unit for either:

- 60 consecutive days
- 90 cumulative days in the preceding 12-month period.

### **Exceptions for Medical Reasons**

---

RGI tenants or co-op members who have been absent from their unit for a longer period of time continue to be eligible for RGI if the absence is due to:

- a temporary stay in a hospital or other acute health care facility
- residential treatment in a substance abuse recovery program
- alternate care of children arising as a result of a parent's temporary stay in hospital, an acute care facility or a residential treatment program.
- caring for another member of the household who is temporarily in hospital, an acute care facility or a residential treatment program.

Exceptions due to medical reasons should be clearly documented on the tenant or co-op member's file.

### **Other Exceptions**

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Housing providers may approve an exception to the local absence rules if the RGI tenant or co-op member is temporarily absent from the unit in order to care for a family member – even if the family member is not part of the household. Reasons for this exception should be clearly documented on the tenant or co-op member's file.

Longer absences for other reasons may be permitted in exceptional circumstances with the approval of the Housing Services Division.



Reasons for the exception and details of the authority for the exception should be clearly documented on the tenant or co-op member's file.

## **Notice**

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Housing providers should ensure that RGI tenants and co-op members are advised of the local absence rules at the time of move-in and annually thereafter. Notice should include:

- a statement of the local absence rule limits
- a request that the RGI tenant or co-op member advise the housing provider if they will be absent from their unit for more than 15 consecutive days.

## **Divestment of Property**

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RGI tenants or co-op members cannot own residential property that is suitable for year round occupancy and continue to be eligible for RGI assistance. In order to remain eligible for RGI assistance, an RGI tenant or co-op member that owns such property must sell or transfer it for fair market value:

- within 180 days of moving into an RGI unit
- within 180 days of acquiring the property if the RGI tenant or co-op member acquired the property after moving into an RGI unit.

The housing provider may extend one or more times the period of time to sell or transfer the property if there are reasonable grounds for doing so.

The RGI tenant or co-op member must be notified of the requirement to divest and of any extension. Template letters, Notice of Requirement to Divest of Property and Notice of Requirement to Divest of Property – Extension, are set out in Section 19 – Letter Templates.

## **12 Months at Market Rent**

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If a tenant or co-op member's RGI is set at maximum RGI (equal to the market rent or housing charge for the unit) they continue to be eligible for RGI assistance although no subsidy is being paid.

If the RGI tenant or co-op member remains at maximum RGI for a period of 12 consecutive months, the RGI tenant or co-op member becomes ineligible for RGI assistance.

When a tenant or co-op member's RGI increases to maximum, they must be notified, that they **may** become ineligible for RGI if their RGI remains at maximum for 12 consecutive months. This is not a decision of ineligibility. It is an information notice only. A template letter, Notice of Increase to Market/Maximum RGI and 12 Month Rule, is set out in Section 19 - Letter Templates.

If the RGI tenant or co-op member remains at maximum rent for a period of 12 consecutive months, the housing provider will give notice that the RGI tenant or co-op member is immediately ineligible for RGI assistance. No 90-day notice is required. A template letter, Notice of RGI Ineligibility – 12 Months at Market, is set out in Section 19 - Letter Templates.

## **Overhoused RGI Tenants or Co-op Members**

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An RGI tenant or co-op member that has been over housed for at least 12 months, and has been notified that they must move to a smaller unit, may become ineligible for RGI if:

they are not registered in their current unit if they:

- They do register on the Durham Access to Social Housing (DASH) Vacancy Site.
- They are not actively expressing interest in suitable vacancies on the DASH Vacancy Site.
- They refuse three offers to transfer to a smaller unit. Housing providers may disregard a refused offer in extenuating circumstances.

See Section 7 – Notice of Changes and Failure to Provide Information for more information.

## **Annual and Bi-annual RGI Reviews**

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Most RGI tenants or co-op members are required to complete an RGI Information Update form (per the housing provider's procedures) and a

new Consent to Disclosure of Information and Documents form and return them to their housing provider at least once every 12 months.

The Consent to Disclosure of Information and Documents form is set out in Section 20 - Forms.

At their discretion, housing providers may conduct a review every 24 months for RGI tenants or co-op members where:

- all members of the household are unemployed
- all household income is paid in fixed amounts for specified periods
- there are no dependants (other than spouse).

This would generally include most seniors households and single people receiving ODSP. Housing providers must clearly document that reviews will be conducted bi-annually on the tenant or co-op member's file.

## Arrears

---

Applicants that owe arrears for rent, damages by a current member of the household, or misrepresentation from a previous tenancy with a social housing provider are ineligible for RGI assistance unless:

- they have entered into a repayment agreement with the housing provider
- they have made reasonable efforts to enter into a repayment agreement with the housing provider
- there are extenuating circumstances.

The arrears may have been incurred as either a previous RGI or market tenant or co-op member with a social housing provider or a rent supplement landlord.

If the arrears are owed by a Special Priority applicant for a unit that they shared with the abuser, the applicant is responsible for repayment of only half the arrears in order to be eligible for RGI assistance.

Ineligibility for arrears applies only to new applicants and incoming RGI tenants or co-op members. It does not apply to current RGI tenants or co-op members or to applicants for in-situ priority status.

## **Reporting Arrears to DASH**

---

All former tenant or co-op member arrears must be reported to Durham Access to Social Housing (DASH) including the following information:

- the first name and last name of the former tenant
- the date of birth or the Social Insurance Number (SIN) of the former tenant
- the address and unit number where the arrears were incurred
- amount owing
- move-out date
- whether or not there is a repayment agreement, and if the repayment agreement is in pay
- whether the arrears were incurred due to misrepresentation of income
- any additional details as determined by the housing provider.

The housing provider must also update DASH if the arrears are subsequently paid or the applicant defaults on the repayment agreement. This will ensure that other housing providers have accurate information to determine RGI eligibility at the time of offer.

Housing providers are encouraged to use the DASH Communication Tool to notify DASH of the arrears. A sample DASH Communication Tool is set out in Section 20 - Forms.

Housing providers may send the completed Tool to DASH by email to [housingservices@durham.ca](mailto:housingservices@durham.ca), with subject line “DASH Vacancy.”

Housing providers may also communicate with DASH via:

- telephone at 905-666-7711 or 1-800-372-1102
- email to [housingservices@durham.ca](mailto:housingservices@durham.ca), subject line “DASH Vacancy”
- mail to Housing Services, 605 Rossland Road East, Whitby L1N 6A3, Attention: DASH
- Regional courier (where applicable) to Housing Services (DASH), 605 Rossland Road East, Whitby, Attention: DASH.

The DASH Communication Tool is set out in Section 20 – Forms.

### **Current RGI Tenants or Co-op Members**

---

In some circumstances, a housing provider may find out after an RGI tenant or co-op member has moved in that they owe arrears to a former social housing provider or that they have defaulted on a repayment agreement.

Current RGI tenants or co-op members are not ineligible for RGI assistance due to arrears owing to a former housing provider, and these arrears are not reported to DASH.

The housing provider may share information with the former housing provider in order to assist the former housing provider in collecting the arrears.

### **Collection of Arrears**

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Arrears continue to be collectable regardless of the RGI tenant or co-op member's eligibility for RGI. Housing providers may share information with each other and with DASH in order to collect the arrears.

### **Notice Provisions**

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All leases and housing agreements must contain a provision regarding the sharing of information pertaining to arrears or misrepresentation. The provision must specify that the tenant or co-op member consents to the disclosure of personal information with respect to any money owing to the housing provider, or any orders of the Landlord and Tenant Board or a divisional court pertaining to arrears to:

- the Region of Durham
- any municipal service manager or agency administering social housing waiting lists under the Housing Services Act
- the Housing Services Corporation
- or a credit information company.

The provision must also state that the purpose of the disclosure is for the:

- collection of arrears owing to the provider
- determination of future eligibility for rent-geared-to-income (RGI) assistance should the tenant or co-op member make a future application in the province of Ontario.

## Legislative References

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Ontario Regulation 367/11, s. 24, 25, 26, 28, 29, 30, 31, 32, 34, 35, 37, 38 and 39



## 5. Income Limits

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### Purpose

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To set out the income limits for RGI applicants.

### Overview

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Income limits apply only to RGI applicants and incoming RGI tenants and co-op members only. They do not apply to current RGI tenants and co-op members, or to current market tenants/co-op members in social housing who are applying for RGI or in-situ priority status.

In order to be eligible for RGI, an applicant must have annual gross household income within the following limits:

Bach/1 Bed	2 Bed	3 Bed	4+ Bed
\$42,000	\$47,000	\$53,000	\$71,000

Income limits are updated in accordance with changes to the household income limits set out in Schedule 2 of Ontario Regulation 370/11 and the average market rents for the Region of Durham set out in the fall edition of the Rental Market Report for the Greater Toronto Area published by the Canada Mortgage and Housing Corporation (CMHC).

### Excluded Income

---

Income that is excluded from RGI calculations under section 50(3) of Ontario Regulation 298/01 is also excluded from consideration under the local income limits, except for paragraphs 42 to 47 of that section.

The following types of income are not included as income when determining annual gross income of the household in relation to the income limits.



### **Canada Pension Plan Income**

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- a death benefit received under the Canada Pension Plan
- a child benefit received under the Canada Pension Plan (Canada) for the dependent of a disabled or deceased contributor

### **Charitable or Other Payments**

---

- a donation received from a religious, charitable or benevolent organization
- a casual gift or casual payment of small value

### **Child Support - Special or Extraordinary Expenses (Section 7 Expenses)**

---

- special or extraordinary expense payments under section 7 of the Child Support Guidelines that are made by a non-custodial parent for:
- child care expenses incurred as a result of the custodial parent's employment, illness, disability or education or training for employment
- health-related expenses for the child including payment of medical and dental insurance premiums
- expenses for the child's educational programs
- expenses for the child's extracurricular activities

### **Compensation Payments**

---

- an amount received as damages or compensation for:
  - pain and suffering due to the injury or death of a household member
  - expenses incurred as a result of the injury or death of a household member
- a government compensation payment received under any of the following schemes:
  - the Helpline Reconciliation Model Agreement

- the Multi-Provincial/Territorial Assistance Program Agreement
- the Grandview Agreement
- the Ontario Hepatitis C Assistance Plan
- the 1986-1990 Hepatitis C Settlement Agreement
- the Walkerton Compensation Plan
- compensation for sterilization from the Government of Alberta
- a payment received as a result of a claim that relates to an aboriginal residential school and was made against the Government of Canada or a church or other religious organization
- a payment received under the Ministry of Community and Social Services Act
- a payment received under the Extraordinary Assistance Plan (Canada)
- a war reparation payment
- a lump sum insurance payment

### **Disability Payments**

---

- a payment received under the Opportunities Fund for Persons with Disabilities if the payment is applied or intended for costs incurred as a result of participation in employment-related activities
- a Canada Disability Savings Grant or a Canada Disability Savings Bond paid into a Registered Disability Saving Plan
- gifts or voluntary payments from someone outside the household that are contributed to a Registered Disability Saving Plan
- interest, dividends and other income accrued in a Registered Disability Saving Plan
- payments from a Registered Disability Saving Plan
- payments from a trust or life insurance policy or gifts or other voluntary payments that are applied to expenses, that will not be otherwise reimbursed, for:
  - disability related items or services

- education or training for a disabled person
- a payment received under section 2 (2) of the *Developmental Services Act* to provide support services to a developmentally disabled person
- a payment received under section 147 (14) of the *Workers' Compensation Act*, as it read on December 31, 1997 - noted as a Bill 165 or B165 supplement on the WSIB payment stub
- a payment received under the Ministry of Community and Social Services Act

### **Employment and Training Income**

---

- an allowance received for room and board due to employment away from home
- an allowance received for expenses incurred in travelling due to employment
- an allowance or a payment received for child care, transportation, tuition or other expenses due to enrolment in any job training or employment-related program
- a grant received under the *Employment Insurance Act (Canada)* for the purchase of an approved training course by a member of an Ontario Works benefit unit
- a lump sum severance payment due to dismissal from employment

### **First Nations Benefits and Payments**

---

- a payment received from the Department of Aboriginal Affairs and Northern Development Canada or from a band for board and lodging of a student attending a secondary school not on the reserve
- a payment received pursuant to the *Indian Act (Canada)* under a treaty between Her Majesty in right of Canada and a band, other than funds for post-secondary education
- a payment received from a band as an incentive bonus for school attendance by a person who is a child of a member of the family unit and who is attending school

- a payment received 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 and was made against the Government of Canada or a church or other religious organization

### **Gifts and Windfalls**

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- an inheritance
- lottery winnings
- a donation received from a religious, charitable or benevolent organization
- a casual gift or casual payment of small value

### **Housing and Homelessness Payments**

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- a payment under the Community Homelessness Prevention Initiative (CHPI)
- a payment under the Region of Durham's Housing Stability Program
- a Durham Housing Benefit payable by the Region of Durham

### **Income Related to Children in Care**

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- a payment received from a children's aid society on behalf of a child in care under the *Child and Family Services Act*
- a payment received by an adoptive parent under clause 175 (f) of the *Child and Family Services Act*
- income received by a child in care under the *Child and Family Services Act*
- an extended care and maintenance allowance for a former Crown ward received from a children's aid society under section 71 (2) of the *Child and Family Services Act*

## **Income Tax Refunds and Rebates**

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- Canada Child Benefit and Ontario Child Benefit
- Trillium Benefit
- other payments, refunds or credits received under the *Income Tax Act (Ontario)* or the *Income Tax Act (Canada)*

## **Investment Income**

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- a capital gain
- the proceeds received from the sale, liquidation or other disposition of real or personal property
- interest received from or accrued in a prepaid funeral plan
- interest, dividends or any other income received from or accrued in a locked-in Registered Retirement Savings Plan (RRSP)
- interest, dividends or any other income received from or accrued in a locked-in Registered Education Savings Plan (RESP) for a child of the household
- income received under an asset building initiative approved by the Region of Durham

## **Lump Sum Payments**

---

- a lump sum insurance payment
- a lump sum severance payment due to dismissal from employment
- a lump sum payment received under a decision of a court
- a lump sum payment received under a decision of a statutory tribunal
- a lump sum payment under the Community Homelessness Prevention Initiative (CHPI)
- a lump sum payment under the Region of Durham's Housing Stability Program

## **Social Assistance Income**

---

- Ontario Works payments
- Ontario Disability Support Program (ODSP) payments
- a payment for a Temporary Care Allowance through Ontario Works
- a payment made under the Assistance for Children with Severe Disabilities (ACSD) program through ODSP

## **Student Income**

---

- income received by a dependent who is a full-time student at a primary or secondary school
- income received by a dependent who is a full-time student at a recognized post-secondary educational institution if the student:
  - is a single student, 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
- a student grant or award received by a post-secondary student
- a scholarship, fellowship or bursary for post-secondary studies
- a student loan
- a bursary received under paragraph 18 of section 8 (1) of the *Education Act* by a student in full-time attendance at a secondary school
- a Canada Education Savings Grant paid into an RESP for a child in the household

## **Veterans Benefits**

---

- a benefit received from Veterans Affairs Canada under the Veterans Independence Program
- a Special Allowance received from Veterans Affairs Canada under the Veterans Affairs Disability Pension Program

## Other

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- a loan
- a special allowance under the Resettlement Assistance Program established under the *Immigration and Refugee Protection Act (Canada)*
- a payment under the Community Homelessness Prevention Initiative (CHPI)
- a payment under the Region of Durham's Housing Stability Program.

## Legislative References

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Housing Services Act, s. 42

Ontario Regulation 367/11, s. 34

Ontario Regulation 370/11, Schedule 2

## 6. Asset Limits

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### Purpose

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To set out the asset limits for RGI applicants, tenants and co-op members.

### Overview

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The asset limit for a single person is \$50,000.

The asset limit for a couple without children or for a family with children is \$75,000 for the household.

### Excluded Assets

---

Section 35(5) of Ontario Regulation 367/11 excludes certain assets from consideration under the local asset limits.

In addition, compensation payments and retirement savings plans excluded under the former *Social Housing Reform Act* (SHRA) or local asset limits continue to be excluded under the new asset limits.

The following types of assets are not included when determining the total assets of the household in relation to the asset limits.

#### **Business Assets**

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- tools of the trade which are essential to continue employment
- business assets that are necessary for the operation of a business. To a limit of \$20,000 per business.

#### **Compensation Payments**

---

- an amount received as damages or compensation for:
  - pain and suffering due to the injury or death of a household member



- expenses reasonably incurred as a result of the injury or death of a household member
- a government compensation payment received under any of the following schemes:
  - Helpline Reconciliation Model Agreement
  - Multi-Provincial/Territorial Assistance Program Agreement
  - Grandview Agreement
  - Ontario Hepatitis C Assistance Plan
  - 1986-1990 Hepatitis C Settlement Agreement
  - Walkerton Compensation Plan
  - compensation for sterilization from the Government of Alberta
  - Extraordinary Assistance Plan (Canada)

### **Disability Related Funds**

---

- a trust fund of up to \$100,000 for a disabled person if the fund was derived from an inheritance or a life insurance policy.
- a Registered Disability Savings Plan (RDSP) for a member of the household
- a loan taken against a life insurance policy for disability related items or services

### **Educational Assets**

---

- that portion of a payment received through Ontario Works under the Learning Earning and Parenting Program (LEAP) to be used for the member's post-secondary education
- Registered Education Savings Plan (RESP) for a child in the household

### **Investments and Retirement Savings**

---

- Registered Retirement Savings Plan (RRSP)

- Registered Retirement Income Fund (RRIF)
- Life Income Fund (LIF)
- Life Retirement Income Fund (LRIF)
- a life or survivor annuity
- funds held in relation to an asset building initiative of the Region of Durham

### **Personal Possessions**

---

- motor vehicles that are not used primarily for the operation of a business, to a limit of one vehicle per member of the household.
- clothing, jewellery or other personal effects
- furniture, appliances, furnishings and decorative items (excluding business assets) located in accommodation occupied by the household

### **Other**

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- prepaid funeral
- cash surrender value of a life insurance policy up to \$100,000 for the household

## **SHRA Grandfathering**

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Under the former *Social Housing Reform Act* (SHRA), RGI tenants or co-op members on October 1, 2002 who also had assets in excess of \$40,000 remained eligible for RGI assistance despite the asset limit at that time.

These RGI tenants and co-op members will continue to be grandfathered under the new asset limits. This means that they will remain eligible for RGI assistance even if their asset limit increases above the new asset limit.

If a grandfathered RGI tenant or co-op member subsequently falls below the new asset limit, they will no longer be grandfathered and asset limits will apply should their assets increase in future.

Housing providers should clearly note on file RGI tenants and co-op members that are subject to these grandfathering provisions.

## Legislative References

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Housing Services Act, s. 42  
Ontario Regulation 367/11, s. 3

## 7. Notice of Changes and Failure to Provide Information

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### Purpose

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To set out the minimum requirements for rent-geared-to-income (RGI) tenants, RGI co-op members and RGI applicants to give notice of changes to information pertaining to their RGI eligibility

### Overview

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Under the Housing Services Act, RGI tenants or RGI co-op members may be ineligible for RGI assistance if they fail to:

- give notice of a change to a document or to information previously provided to determine RGI eligibility
- provide information requested by the service manager/housing provider to determine RGI eligibility or the amount of RGI payable.

### Notice of Changes

---

RGI tenants and co-op members must report a change in income, assets and living situation to their housing provider as soon as the change occurs. Notice may be made verbally or in writing at the discretion of the housing provider.

Housing providers must ensure that references to change reporting on letters, annual review packages, leases, and housing agreements state that changes must be reported as soon as they occur.

RGI tenants and co-op members who fail to report a change at the time it occurs may be deemed ineligible for RGI assistance if the change remains unreported at the time of the next annual review.

## **Extenuating Circumstances**

---

A housing provider may continue or reinstate RGI eligibility if they are satisfied that the change was not reported due to extenuating circumstances. This must be clearly documented on the RGI tenant or co-op member's file.

## **Alternative Providers**

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Alternative housing providers who serve the homeless or hard to house households may waive this reporting requirement at their discretion. The reasons for the waiver must be clearly documented in the tenant file.

## **Failure to Provide Information**

---

If a housing provider requests information or documentation from an RGI tenant or co-op member to determine RGI eligibility or the amount of RGI payable, it must give a clear deadline for submission of the information. Housing providers should normally give tenants or co-op members at least 10 business days to submit the information. Housing providers may extend this deadline at any time.

RGI tenants or co-op members that do not submit requested information by the required deadline may be deemed ineligible for RGI assistance. Information may be requested verbally or in writing. However, before determining that RGI tenant or co-op member is RGI ineligible for failure to provide requested information:

- the request must have been made in writing
- the written request must state that failure to provide the information may result in RGI ineligibility
- the RGI tenant or co-op member must have been given at least 10 business days to submit the information.

For example:

- On June 24, the housing provider makes a verbal request to submit a document by July 1 (5 business days).
- Document is not received by July 1.
- On July 2, the housing provider makes a written request for the same document to be submitted by July 12.
- Written request states that information was first requested on June 24, and that failure to provide the information by July 12 may result in RGI ineligibility.
- Note that the RGI tenant or co-op member has been given 13 business days to submit the document - 8 business days from the time of the written request plus 5 business days from the time of the earlier verbal request.
- Document is not received by July 12. Housing provider may deem the RGI tenant or co-op member RGI ineligible for failure to provide the requested information. The housing provider may give the RGI tenant or co-op member 90 days written notice of RGI ineligibility.

## **Waivers**

---

A housing provider must waive the requirement that an RGI tenant or co-op member submit information or documents if the housing provider is satisfied that:

- the RGI tenant or co-op member is unable to do so
- it is inappropriate in the circumstances to require an RGI tenant or co-op member to do so
- the RGI tenant or co-op member's personal safety may be at risk in doing so.

Reasons for any of the above waivers must be clearly documented on the RGI tenant or co-op member's file.

## **Extenuating Circumstances**

---

At the discretion of the housing provider, the deadline for submission of information may be extended before or after the original due date has passed.

A housing provider may also continue or reinstate RGI eligibility if it is satisfied that information or documents were not submitted due to extenuating circumstances. This must be clearly documented on the RGI tenant or co-op member's file.

## **Retroactive Changes**

---

RGI tenants or co-op members who do not report changes in a timely manner will have their RGI retroactively recalculated in relation to the time of the change. When RGI is retroactively recalculated:

- RGI decreases are effective the first day of the month following the month in which the change occurred
- RGI increases are effective the first day of the second month following the month in which the change occurred.

For example:

RGI tenants and co-op members are not to be deemed retroactively ineligible for failure to provide requested information. If the information is not received by the specified due date, housing providers should promptly follow up by either deeming the tenant or co-op member ineligible on 90-days' notice or extending the deadline for the submission of information.

## **RGI Increases of Less than \$10**

---

Changes resulting in an RGI increase of less than \$10 are not implemented until the time of the annual review. They are not implemented retroactively even if the change was not reported at the time it occurred.

## RGI Overpayment Recovery

---

When RGI is retroactively recalculated, the RGI subsidy may have been overpaid.

With the agreement of the RGI tenant or co-op member, housing providers should attempt to recover the overpayment separately from the ongoing RGI paid. The RGI tenant or co-op member may remit the entire amount owing or may enter into a repayment schedule with the provider.

If the RGI tenant or co-op member does not agree to the greater repayment, the housing providers may collect the amount owing by increasing the monthly rent or housing charge by 10% of the monthly RGI amount.

Although the original RGI increase may be implemented retroactively effective the first day of the second month following the change, the additional 10% increase takes effect on the first day of the second month following the notice of this increase.

For example:

- An RGI tenant or co-op member has an increase in income in January but does not notify the provider of the change until mid June. The change results in the RGI increasing from \$250 to \$300.
- The RGI is increased to \$300 effective March 1, resulting in a subsidy overpayment of \$200 (\$50 x 4 months). The RGI tenant/co-op member begins paying \$300 per month effective July 1.
- The housing provider gives notice to the RGI tenant/co-op member that the RGI charge will be increased by 10% to collect the overpayment. The RGI charge increases to \$330 effective August 1.



## **Administrative Errors**

---

Overpayments resulting from an administrative error are not collected back from the RGI tenant or co-op member (e.g. if an RGI tenant or co-op member declares information on time and the housing provider does not implement the change in a timely manner).

## **Annual Reviews**

---

Annual reviews are conducted every 12 months for RGI tenants and co-op members. At the time of annual review, the housing provider is required to review:

- continued eligibility for RGI assistance
- the amount RGI payable by the RGI tenant or co-op member.

RGI changes as a result of annual reviews come into effect based on the date that the housing provider gives notice of the change. RGI is adjusted as follows:

- RGI decreases are effective the first day of the month following the date of notice (e.g. a rent decrease notice issued May 10 would take effect June 1).
- RGI increases are effective the first day of the second month following the date of notice (e.g. a rent increase notice issued May 10 would take effect July 1).

Where the increase is greater than \$10 and should have been declared prior to the time of annual review, the housing provider may implement the change retroactively in relation to the time that the change occurred.

## **Legislative References**

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Housing Services Act, s. 42, 52(3), 56(2)  
Ontario Regulation 367/11, s. 28, 29, 60, 64  
Ontario Regulation 298/01, s. 52, 53

## 8. Pursuit of Income

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### Purpose

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To set out guidelines to assist in determining when an RGI tenant or co-op member should be required to pursue income.

### Overview

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Once the total RGI amount is calculated for an tenant or co-op member, including any applicable utility adjustments, this amount is compared to the minimum RGI and the maximum RGI chargeable for the unit. The total RGI charge for the unit cannot be:

Under the Housing Services Act, RGI tenants or co-op members may be required to pursue the following types of income:

- Ontario Works
- Child support payments
- Employment Insurance (EI) benefits
- Old Age Security, Guaranteed Income Supplement, and Ontario Guaranteed Annual Income Supplement (OAS / GIS / GAINS)
- Immigration sponsorship income

The housing provider determines when it is and is not appropriate for an RGI tenant or co-op member to pursue any of these types of income. In making this decision, the housing provider should consider whether pursuing the income will reasonably and significantly:

- increase the RGI tenant or co-op member's income to ensure it is sufficient to meet their needs, including the payment of the rent/housing charge
- reduce the RGI subsidy payable by the Region.

RGI tenants or co-op members who have been advised to pursue income and do not make reasonable efforts to obtain it may be ineligible for RGI assistance.

### **Notice to Pursue Income**

---

If an RGI tenant or co-op member is required to pursue other income, the housing provider will give the tenant or co-op member written notice:

- stating the type of income that the RGI tenant or co-op member may be eligible to receive
- requesting that the RGI tenant or co-op member apply for the income and make reasonable efforts to obtain the income
- giving the tenant at least 10 days to report back on the results of the application.

The housing provider may extend this deadline at any time by doing so in writing.

### **RGI Ineligibility**

---

Once a decision on the application for income is reached, the RGI tenant or co-op member must provide proof of:

- the amount and start date of the new income; or
- the reason they are ineligible for the income.

RGI tenants or co-op members may be ineligible for RGI assistance if they do not:

- respond to the written notice to pursue income
- provide proof of the outcome of an application on which a decision has been reached
- make reasonable efforts to obtain the income within the time frame set out in the notice.

Reasonable efforts include making the application for income and providing any and all supplementary information that is required to support the application.

The housing provider may determine that an RGI tenant or co-op member continues to be eligible for RGI if there are extenuating circumstances that interfered with the RGI tenant or co-op member's attempts to pursue or to obtain the income.

## Ontario Works

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Ontario Works provides financial and employment assistance to low income people and their families. Financial assistance is issued for and determined according to the needs of the entire family unit in the household.

RGI tenants and co-op members who may be eligible for Ontario Works will not normally be required to apply for this income unless one or more of the following apply:

- the RGI tenant or co-op member is paying minimum rent
- the total non-benefit income of the family has been well below the applicable Ontario Works threshold for at least three months
- the RGI tenant or co-op member has low income and is in arrears.

The following people are not required to make an application for Ontario Works even if the above criteria are met:

- a person pending another source of income (e.g. Employment Insurance)
- a single person who is receiving OSAP
- a single person or family with assets that exceed the allowable limits under Ontario Works.

Ontario Works asset limits are prescribed in section 38 of Ontario Regulation 134/98 of the Ontario Works Act. The current Ontario Works asset limits are also set out in the Resources unit.

### Ontario Works and Employment Participation

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People applying for or receiving Ontario Works must participate in employment assistance activities. This might include job searches, employment information sessions, community participation (unpaid),

employment placement (paid), self-employment supports, basic education and training programs, and literacy assessment and training.

Ontario Works recipients complete individual Participation Agreements which set out the types of employment assistance activities that they must do. Participation Agreements are reviewed regularly for compliance, and people who are found to be non-compliant may be made ineligible for Ontario Works or have the amount of their assistance reduced.

An RGI tenant or co-op member who is made ineligible for Ontario Works due to non-compliance (i.e. failure to participate in employment assistance activities set out in a Participation Agreement) are not making reasonable efforts to obtain Ontario Works income and may be ineligible for RGI.

Before making an RGI tenant or co-op member ineligible for RGI for failure to pursue Ontario Works due to non-compliance, the housing provider should give the RGI tenant/co-op member an opportunity to rectify this with Ontario Works.

### **Dependants' Requirement to Pursue Ontario Works**

Dependents under the age of 18 do not qualify for Ontario Works in their own right and are not required to apply.

Dependents over the age of 18 who live with their parents are not generally entitled to receive Ontario Works assistance in their own right – even if they have been removed from their parents' Ontario Works or ODSP benefit unit. In order to be eligible in their own right, the dependent must be determined to be “financially independent” of their parents.

Ontario Works considers a person living with their parents to be financially independent if any of the following apply:

- they live with their spouse, common-law spouse or same-sex partner , or have done so in the past
- they currently receive or have received OSAP as a sole support student
- they have had income greater than the Ontario Works entitlement for a single person for a cumulative period of at least two years

- there has been a cumulative period of at least two years where their basic needs and shelter were provided by a source other than their parent, an institution or social assistance
- they have lived away from their parental home for a cumulative period of at least two years after their 18th birthday
- they have not attended secondary school for at least five years
- they have a university degree or college diploma
- they are a parent with current or past custody of their child.

Dependants over the age of 18 are only required to apply for Ontario Works in their own right if they have no income and meet at least one of the above requirements of financial independence.

Dependants over the age of 18 are not required to apply for Ontario Works if they are full-time students even if they meet the test for financial independence.

### **Application Process**

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There is a two stage process to apply for Ontario Works. The applicant has an initial eligibility screening done by telephone or online. After screening, the applicant is given an office appointment for a verification interview. At the interview, the applicant must provide supporting documents for all members of the family including proof of:

- dates of birth and status in Canada
- social insurance numbers (SIN)
- health card numbers
- income and assets
- shelter costs (e.g. rent, housing charge, utilities)

Ontario Works generally makes a decision about an applicant's eligibility within 4-7 days of the initial intake screening. All decisions are made in writing.

Further information about how to apply for Ontario Works is set out in the Resources unit.

## **Notice to Pursue Ontario Works and Confirmation of RGI Payable**

If an RGI tenant or co-op member is required to pursue Ontario Works income, the housing provider will give the tenant or co-op member written notice:

- stating they may be eligible for Ontario Works
- advising them to apply for Ontario Works, including information about how to apply
- giving them at least 10 days to report back to the housing provider about the results of the application, and advising that they may be ineligible for RGI if they do not report back by this date
- advising the amount of RGI payable should they start to receive Ontario Works.

A template letter, Notice of Requirement to Pursue Ontario Works Income, is set out in Section 19 – Letter Templates.

If requesting that a dependent over the age of 18 apply for Ontario Works, the housing provider should ensure the notice is specific to the dependent's responsibilities and sets out the dependent's potential portion of the RGI only. A template letter, Notice of Requirement to Pursue Ontario Works Income – Dependant, is set out in Section 19 – Letter Templates.

Notice of the RGI amount is intended to support the application for Ontario Works only. If an RGI tenant/co-op member or their dependent starts to receive Ontario Works, the housing provider must still provide the required written notice of the RGI change, including the effective date of the change and the tenant/co-op member's right to appeal.

## **Follow-Up for Ontario Works**

RGI tenants or co-op members that were required to apply for Ontario Works must provide a copy of their Ontario Works payment stub or a letter from Ontario Works confirming that they are eligible.

RGI tenants or co-op members that are denied Ontario Works must provide a letter from Ontario Works confirming the date that they were deemed ineligible and the reason for ineligibility.

RGI tenants/co-op members are not making reasonable efforts to obtain income and may be determined ineligible for RGI if they were made ineligible for Ontario Works for any of the following reasons:

- missing information
- non-compliance (see employment participation above)
- choosing to discontinue their application

Before making a decision of RGI ineligibility for any of the above reasons, the housing provider should first give the RGI tenant/co-op member an opportunity to rectify this with Ontario Works. This must be done in writing with a clear deadline of when the tenant/cop-op member is required to report back to the housing provider.

RGI tenants or co-op members who have failed to initiate an application within 10 days (or other time period set out in the notice) may be deemed ineligible for RGI.

The housing provider may extend the deadline to apply for or to follow up with Ontario Works if there are extenuating circumstances that interfered with the RGI tenant or co-op member's attempts to do so. The provider must extend all deadlines in writing.

## **Child Support Income**

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All parents have a legal responsibility to financially support their dependent children. Parents that do not live with their children are expected to pay child support. A parent may be a biological parent, an adoptive parent or a step parent.

RGI tenants or co-op members who may be entitled to child support payments will normally be required to pursue child support income. This includes RGI tenants or co-op members who:

- have a court order for support that is not being paid in full
- have a verbal agreement for support that is not being paid in full
- have no court order or agreement for support.



## **Declaration of Child Support (DCS) Form**

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All RGI tenants and co-op members who may be entitled to receive child support payments are required to complete a Declaration of Child Support (DCS) form. A separate DCS form must be completed for each person that has a responsibility to pay support.

The DCS must be completed at the time of move-in if the incoming RGI tenant or co-op member is receiving or entitled to receive support. The DCS must be submitted with all other RGI verification, and must include a copy of any current court order or written agreement, regardless of whether or not it is in pay. The housing provider may follow up for a FRO Schedule A (see Family Responsibility Office below) if a court order is not in full pay at the time of move-in, but should include an estimate of the average amount of support received in the RGI calculation.

The DCS must also be completed when there is a new dependent living in the RGI unit (e.g. new baby, change in custody arrangement). The DCS may be updated at the time of RGI annual review as required.

When a DCS is required, the housing provider will give the RGI tenant or co-op member notice:

- stating they may be entitled to child support
- requesting they complete the DCS form
- requesting a copy of any current court order or written agreement
- requesting a FRO Schedule A (see Family Responsibility Office below) if a court order is not in pay
- giving them 30 days to return the DCS form and supporting documents.

RGI tenants or co-op members who do not return the DCS form and supporting documents within 30 days may be deemed ineligible for RGI.

The housing provider may extend the deadline to return the DCS form and/or any of the supporting documents if there are extenuating circumstances. The provider must extend all deadlines in writing.

Once the DCS form is received, the housing provider will determine if and how the RGI tenant or co-op member should pursue child support income depending on whether the RGI tenant or co-op member has:

- a court order for support
- a separation agreement with support provisions
- a verbal agreement for support
- no support agreement for support.

A template letter, Request for Information – Declaration of Child Support (DCS), is set out in Section 19 – Letter Templates. The Declaration of Child Support (DCS) form is set out in Section 20 – Forms.

### **Court Orders for Support**

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RGI tenants or co-op members with a court order for support must provide a copy of the order regardless of whether or not it is in pay.

If an RGI tenant or co-op member has a court order for support and the support is being paid in full, there is no further action. A copy of the court order is sufficient verification of income.

Copies of court orders made in Durham can be obtained from the Ontario Superior Court of Justice, Family Branch (see Resources unit). Copies of court orders must be requested in person, and can generally be provided the same day. Older court orders (where there has been no court activity for 6 years or longer) can take up to 3 months to obtain. Court orders made in other jurisdictions may also take longer to obtain. RGI tenants or co-op members who previously received Ontario Works or ODSP may also be able to request copies from their Ontario Works or ODSP files.

Housing providers should ensure that RGI tenants and co-op members are given at least 30 days to provide a copy of the court order. If a copy of the court order is not received within 30 days and the tenant has given no reason for the delay, the RGI tenant or co-op member may be deemed ineligible for RGI. The housing provider may extend this deadline at any time. The provider must extend all deadlines in writing.

If an RGI tenant or co-op member has a court order for support and support is not being paid in full, they must provide verification that the

court order is registered for enforcement with the Family Responsibility Office (FRO).

### **Family Responsibility Office (FRO)**

The Family Responsibility Office (FRO) is the support enforcement agency for the province of Ontario. An RGI tenant or co-op member is required to file or re-file an order with FRO if court-ordered support is not being paid. The tenant/co-op member may have previously withdrawn from the FRO program or may have not filed when the order was originally made. There is no cost to file initially with FRO, but the cost to re-file is \$50. Filing and re-filing forms can be obtained from the FRO website (see Resources unit).

FRO can provide an RGI tenant or co-op member with a Schedule A, which is a non-commissioned statement of their account. It sets out the amount of support that is payable, what has been paid and any support arrears owing.

There is no cost for the Schedule A. A commissioned Statement of Account costs \$25. Only the Schedule A is required to verify enforcement with FRO and/or the amount of support that has been paid.

RGI tenants or co-op members should have their FRO case number ready when they contact FRO if possible, but FRO will be able to assist them without it. Information about how to contact FRO is set out in the Resources unit.

The housing provider should allow at least 30 days for the RGI tenant or co-op member to provide a copy of the Schedule A. If the Schedule A is not received within 30 days, the RGI tenant or co-op member may be deemed ineligible for RGI. The housing provider may extend this deadline at any time. The provider must extend all deadlines in writing.

### **Separation Agreements**

Separation Agreements are legal and binding written agreements. RGI tenants and co-op members must provide a copy of any Separation Agreement that includes a provision for child support. If the child support is not being paid, the RGI tenant or co-op member should be directed to Ontario Superior Court of Justice, Family Branch (see Resources unit) to

file the Separation Agreement. Once this is done, it has the same force and effect as if it were a court order and may be filed with FRO for enforcement.

### **Verbal Agreements**

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Verbal agreements for support are not binding. Informal written agreements (e.g. a letter from the other parent stating how much child support they intend to pay) are not enforceable and are essentially the same as a verbal agreement. However, if a verbal agreement is being paid, this amount should be used in the RGI calculations, and no further action is required.

If the payor (the person responsible to pay support) stops paying a verbal agreement, the RGI tenant or co-op member should be referred to the Ontario Works Family Support Worker (FSW) program to make a court application for support (see Family Support Worker below). All RGI tenants or co-op members, who are required to pursue a court order, may be referred to the FSW program, even if they are not receiving Ontario Works.

RGI tenants or co-op members may also seek information and assistance through the Family Law Information Centre (FLIC) at the Superior Court of Justice (see Resources unit).

### **No Support Agreement**

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An RGI tenant or co-op member who has no agreement for support is not required to pursue support income if:

- the payor (the person responsible to pay support) is unemployed
- the payor is receiving Ontario Works or ODSP
- the payor is incarcerated
- the payor's whereabouts are unknown despite the RGI tenant or co-op member's efforts to locate them
- the payor is deceased

- the pursuit of support may place a special priority applicant at risk of further abuse because the payor is the abuser
- there are other extenuating circumstances as approved by the Housing Services Division.

The housing provider must document the reason that support is not being pursued and review this annually as required.

In all other circumstances, an RGI tenant or co-op member who has no agreement for support should be referred to the Ontario Works Family Support Worker (FSW) program to make a court application for support (see Family Support Worker below). All RGI tenants or co-op members, who are required to pursue a court order, may be referred to the FSW program, even if they are not receiving Ontario Works.

RGI tenants or co-op members may also seek information and assistance through the Family Law Information Centre (FLIC) at the Superior Court of Justice (see Resources unit).

### **Family Support Worker (FSW)**

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Ontario Works no longer requires recipients to pursue child support payments. However, the Region of Durham's Income and Employment Support Division (IESD) still has Family Support Worker (FSW) that will assist recipients to pursue support on a voluntary basis.

If an RGI tenant or co-op member is required to pursue support as a condition of continued RGI eligibility, they may be referred to the Ontario Works FSW for assistance in making a court application. The RGI tenant or co-op member does not need to be receiving Ontario Works to make the referral. An RGI tenant or co-op member should be referred to the Ontario Works FSW if:

- the payor (the person responsible to pay support) stops paying a verbal agreement
- there is no agreement for support.

To refer an RGI tenant or a co-op member to the Ontario Works FSW, the housing provider will give them written notice:

- stating they must make an application to the court for child support

- advising them how to contact the FSW for support in making the court application
- giving them at least 30 days to provide verification that they have engaged the FSW
- advising that they may be ineligible for RGI if they do not report back by this date.

The housing provider should follow up with the RGI tenant/co-op member about the status of their court application and activity with the FSW at least every 3 months. Housing providers may also contact the local Ontario Works office for information, but must provide a copy of the *Consent to Disclosure of Information and Documents* form (see Section 20 – Forms) when making an inquiry.

A template letter, Notice of Referral to Family Support Worker (FSW), is set out in Section 19 – Letter Templates. Contact information for the Ontario Works FSW Unit is set out in the Resources unit.

RGI tenants or co-op members may also seek information and assistance through the Family Law Information Centre (FLIC) at the Superior Court of Justice (see Resources unit).

## **Abuse**

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RGI tenants and co-op applicants who were housed under the Special Priority Policy (SPP) are not required to pursue support from a payor, who was also the person who abused them, if they believe that they or another member of their household is at risk of being abused in doing so.

In some cases, an RGI tenant or co-op member may not have been an SPP applicant but discloses abuse by the person responsible to pay support. If an RGI tenant or co-op member has been abused by the payor and fears for their safety or the safety of their children, they should not be required to pursue support.

RGI tenants or co-op members may be able to provide a letter to support their claim from a shelter or other service agency with which they are currently involved or have been involved in the past. If the abuser was previously charged with assault, the RGI tenant or co-op member may be able to provide proof of this.

If the RGI tenant is unable to provide a letter supporting her claim of abuse, the housing provider may still waive the requirement to pursue support. In all circumstances, the safety of the tenant/co-op member and their children should be the first priority.

### **Spousal Support Income**

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In some circumstances, a person may also have an obligation to pay support for a spouse or same-sex partner from whom they have separated or divorced. Spousal support can be an extremely complex matter, and RGI tenants and co-op members are not required to pursue spousal support as a condition of RGI eligibility.

RGI tenants and co-op members may choose to pursue spousal support at their discretion. If there is a large asset, such as a matrimonial home, they may be referred to Legal Aid to secure a lawyer to assist in pursuing the asset. See the Resources unit for information about applying for Legal Aid.

Housing providers should follow up with RGI tenants and co-op members that choose to pursue spousal support to ensure all agreements and income are declared for RGI.

### **Support Income – Section 7 Expenses**

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Section 7 of the Child Support Guidelines permits payments for special or extraordinary expenses in addition to the basic amount of child support. Special or extraordinary expenses include expenses for child care, health-related items, educational programs and extracurricular activities.

Section 7 expense payments are not included in RGI calculations, and tenants and co-op members are not required to pursue this income as a condition of RGI.

## **Employment Insurance**

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Employment Insurance (EI) benefits are available to people who have paid into the program and are now unemployed. EI benefits may be paid for:

- loss of employment

- maternity or parental leave
- temporary unemployment due to sickness or accident
- temporary leave from work to provide compassionate care/support to a gravely ill relative.

RGI tenants or co-op members who stop employment either permanently or temporarily are required to apply for EI Benefits as a condition of their RGI eligibility.

### **Employment Insurance Application Process**

RGI tenants or co-op members can apply for EI benefits as soon as they stop working, even if they have not yet received their Record of Employment (ROE) from their employer. There is a two week unpaid waiting period before EI benefits begin to be paid on all new claims.

RGI tenants or co-op members can apply for EI online or in person at a Service Canada Centre. A list of Canada Services Centres and further information about how to apply for EI is set out in the Resources unit.

### **Notice to Pursue Employment Insurance**

If an RGI tenant or co-op member's employment ends for any reason, the housing provider will give them notice:

- stating they may be eligible for EI
- advising them to apply for EI and where they can apply
- giving them at least 30 days to report back to the housing provider about the results of the application
- advising that they may be ineligible for RGI if they do not report back by this date.

A template letter, Notice of Requirement to Pursue Employment Insurance (EI), is set out in Section 19 – Letter Templates.



## **Follow-up for Employment Insurance**

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EI claims are generally determined within 4 to 8 weeks of the application. Housing providers must follow up with the RGI tenant or co-op member for the results of their EI application. They must provide information from Service Canada stating either:

- they are eligible for EI, and indicating the amount of their weekly payments and the start date of their claim (e.g. EI payment stub, notice of benefits)
- they have been denied EI, and indicating the reason for ineligibility.

RGI tenants or co-op members who have failed to initiate an application within 30 days (or other time period set out in the notice) may be deemed ineligible for RGI.

The housing provider may extend the deadline to apply for EI if there are extenuating circumstances that interfered with the RGI tenant or co-op member's attempts to do so. The provider must extend all deadlines in writing.

## **Employment Insurance and My Service Canada Account**

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The Service Canada website has a feature called "My Service Canada Account" which allows people to view and update information concerning their EI claim. If the person's employer submitted the Record of Employment (ROE) electronically to Service Canada, this can also be accessed through this website by the employee.

Housing providers should encourage RGI tenants and co-op members to use the My Service Canada Account to get information about their EI claim and ROE. Where an RGI tenant or co-op member does not have access to the internet or printing facilities, the housing provider should offer to print the information or refer them to the Housing Services Division for assistance in this regard.

My Service Canada Account information requires a secure login and password. Housing providers are cautioned not to request this information from RGI tenants or co-op members when printing information on their behalf.

RGI tenants and co-op members can find more information or register for a [My Service Canada Account](https://www.canada.ca/myServiceCanadaAccount) at [www.canada.ca/myServiceCanadaAccount](https://www.canada.ca/myServiceCanadaAccount).

## Old Age Security

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People who are 65 years of age or older are required as a condition of their RGI eligibility to apply for the following federal and provincial benefits:

- Old Age Security (OAS)
- Guaranteed Income Supplement (GIS)
- Guaranteed Annual Income Supplement (GAINS)

The Old Age Security (OAS) pension is a federal monthly benefit payable to people aged 65 and over who have lived in Canada for at least 10 years. Some seniors who have lived in Canada for less than 10 years may qualify for a reduced pension if Canada has a social security agreement with the other country where they lived.

The Guaranteed Income Supplement (GIS) is a federal non-taxable monthly benefit paid to recipients of an OAS pension who have low income. GIS payments may begin in the same month as OAS pension payments and are assessed annually.

The Guaranteed Annual Income Supplement (GAINS) is a provincial supplement that may be paid in addition to OAS and GIS to low income seniors. It is assessed annually and is directly linked to the amount of the GIS payment.

### Old Age Security Application Process

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RGI tenants or co-op members may apply for Old Age Security up to eleven months before they turn 65.

- Some people are automatically enrolled for OAS in the month after they turn 64. Service Canada sends a letter to confirm this. They do not need to apply.

- Some people will receive notice from Service Canada in the month after they turn 64 that they may be eligible for OAS. They will receive an application to mail back to Service Canada.

RGI tenants or co-op members who did not receive a letter from Service Canada in the month after they turn 64, must complete an application form and mail it back to Service Canada. Application forms can be printed from the [OAS section of the Service Canada website](http://www.canada.ca/oas) at [www.canada.ca/oas](http://www.canada.ca/oas).

### **Guaranteed Income Supplement Application Process**

Low income seniors may apply for the Guaranteed Income Supplement (GIS) if they are receiving OAS or if they have applied for OAS.

- Seniors who were automatically enrolled for OAS in the month after they turned 64 should apply for the GIS three months before their 65th birthday.
- Seniors who have not yet applied for OAS can indicate on their application that they also want to apply for GIS. Service Canada will send them an Application for GIS.
- Seniors who have already applied for OAS (but did not indicate that they want to apply for GIS) or who are already receiving OAS should apply for GIS right away in order to avoid any loss of benefits.

RGI tenants and co-op members can print the GIS application from the [GIS section of the Service Canada website](http://www.canada.ca/gis) at [www.canada.ca/gis](http://www.canada.ca/gis).

If the RGI tenant or co-op member is determined eligible for GIS, there eligibility will be reviewed annually, and their GIS will be automatically renewed if they still qualify. In July, they will receive notice from Service Canada stating:

- GIS has been renewed;
- GIS has stopped; or
- Income information is required.

GIS may be stopped if the tenant/co-op member:

- has not filed their income tax return for the previous year
- has not provided income

- has left Canada for more than six consecutive months
- has had an increase in income above the maximum annual amount to qualify for GIS
- has been incarcerated for a sentence of two years or longer
- has died.

Housing providers should follow up with RGI tenants/co-op members who were receiving GIS and have ceased to be eligible. If GIS has ceased because the RGI tenant/co-op member failed to file income taxes, they should be advised to file and re-apply for GIS as necessary. No RGI adjustments should be made pending the outcome of the new GIS assessment.

RGI tenants/co-op members should notify service Canada and request a GIS reassessment if they have had a decrease in income from their previous tax year due to a retirement or a reduction or cessation of pension income

## **GAINS**

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OAS/GIS recipients will be automatically assessed for GAINS eligibility based on information in their annual income tax form. No application is necessary, but applicants must file their taxes annually.

## **Notice to Pursue OAS/GIS Before Age 65**

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RGI tenants and co-op members can apply for OAS and GIS as early as 11 months prior to their 65th birthday. However, they cannot be determined RGI ineligible for failure to apply for OAS or GIS before they turn 65 years old.

OAS and GIS applications can take time to process. When an RGI tenant turns 64, the housing providers should notify them that they are eligible to apply for OAS or GIS and encourage them to apply as soon as possible. The housing provider should follow up for the results of any applications. This will help ensure timely receipt of these benefits and allow for appropriate notice of RGI changes.

However, the housing provider cannot require pursuit of OAS or GIS income until the applicant turns 65 years old.

### **Notice to Pursue OAS/GIS After Age 65**

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If an RGI tenant or co-op member turns 65 and has not yet applied for OAS and/or GIS, the housing provider should give them notice:

- stating that they must apply for OAS and/or GIS
- stating that they must notify the housing provider as soon as they start receiving OAS and/or GIS
- stating that they may be required to repay some RGI assistance if they receive OAS and/or GIS for a past period
- giving the tenant at least 10 days to report back with proof of the application.

Template letter, Notice of Requirement to Pursue Old Age Security (OAS/GIS), and Notice of Requirement to Pursue Guaranteed Income Supplement (GIS) Only, is set out in Section 19 – Letter Templates.

### **Follow-up for OAS/GIS**

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RGI tenants or co-op members over the age of 65 who have failed to initiate an OAS or GIS application within 10 days (or other time period set out in the notice) may be deemed ineligible for RGI.

The housing provider may extend the deadline to apply for OAS or GIS if there are extenuating circumstances that interfered with the RGI tenant or co-op member's attempts to do so. The provider must extend all deadlines in writing.

The RGI tenant or co-op member must also provide proof of their OAS or GIS as soon as they start to receive it.

If the RGI tenant or co-op member is ineligible for OAS or GIS because they have lived in Canada for less than 10 years, they should be encouraged to follow up with Service Canada to determine if they may be eligible under a social security agreement with another country.

Seniors who are eligible for GIS and GAINS must also file their income tax every year to ensure that these benefits are not interrupted. If GIS and GAINS payments are suspended because the tenant/co-op member failed to file their income tax return, the housing provider should advise them to file the return, but RGI will continue to be calculated as though the GIS and GAINS are still in pay.

### **Old Age Security and My Service Canada Account**

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The Service Canada website has a feature called “My Service Canada Account” which allows people to view and update information concerning their OAS and GIS.

Housing providers should encourage RGI tenants and co-op members to use the My Service Canada Account to show proof of their OAS and GIS eligibility. Where an RGI tenant or co-op member does not have access to the internet or printing facilities, the housing provider should offer to print the information or refer them to the Housing Services Division for assistance in this regard.

My Service Canada Account information requires a secure login and password. Housing providers are cautioned not to request this information from RGI tenants or co-op members when printing information on their behalf.

RGI tenants and co-op members can find more information or register for a [My Service Canada Account](http://www.canada.ca/myservicecanadaaccount) at [www.canada.ca/myservicecanadaaccount](http://www.canada.ca/myservicecanadaaccount).

### **Immigration Sponsorship Income**

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Some RGI tenants and co-op members may have been sponsored to immigrate to Canada. Sponsorship is a legal undertaking in which the sponsor agrees to provide financial support for basic requirements (e.g. food, clothing, shelter, etc.) for the sponsored person and their dependents.

Sponsored immigrants are permanent residents of Canada. They may have been sponsored to come to Canada by a family member (e.g. a spouse or parent), or they may have been a refugee who was resettled from outside of Canada.

Some sponsored immigrants may be required to pursue support from their sponsor if the sponsor does not live with them and:

- the RGI tenant or co-op member is paying minimum rent, or
- the RGI tenant or co-op member has low income and is in arrears.

Sponsored immigrants who have taken Canadian citizenship before the end of their sponsorship agreement may still be expected to pursue support from their sponsor.

### **Family Class Immigrants**

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Family class immigrants are sponsored by a relative to come to Canada. Sponsorships can be in place for 3 to 10 years depending on the age of the sponsored person and their relationship to the sponsor. Spouses are normally sponsored for three years.

Sponsorships are unconditional in that the sponsor still has a legal obligation to support the sponsored person even if their relationship breaks down (e.g. divorce).

A sponsorship agreement does not set out a specific amount of financial support to be paid, but the undertaking ensures that the sponsored person does not have to apply for social assistance. If a sponsored person starts to receive Ontario Works, the sponsor may have to repay the assistance issued on behalf of that person, and they may not be able to sponsor someone else in the future.

There are no such penalties if a sponsored person receives RGI assistance, and there is no way to collect back RGI assistance from the sponsor.

Family class immigrants should be asked to pursue income from their sponsor before being required to pursue Ontario Works. If the RGI tenant or co-op member would not otherwise be required to apply for Ontario Works, they are not required to pursue support from their sponsor.

### **Family Class Immigrants – Notice**

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If a family class immigrant is required to pursue sponsorship income, the housing provider should document the name, address and telephone

number of the sponsor in the tenant file, and then give notice to the RGI tenant/co-op member:

- stating they must either pursue support from their sponsor or apply for Ontario Works
- advising that if they apply for Ontario Works, their sponsor may be required to repay this financial assistance and may be prevented from sponsoring other people in the future
- giving them at least 10 days to report back to the housing provider about their sponsor's response.

A template letter, Notice of Requirement to Pursue Sponsorship Income (Family Class), is set out in Section 19 – Letter Templates.

If the RGI tenant or co-op member does not respond or reach an agreement with their sponsor within 10 days (or other time period set out in the notice) they should be required to pursue Ontario Works. Information about pursuing Ontario Works is set out above.

The housing provider may extend the deadline to obtain sponsorship income if there are extenuating circumstances that interfered with the RGI tenant or co-op member's attempts to do so. The provider must extend all deadlines in writing.

### **Family Class Immigrants – Exceptions**

Housing providers may waive an RGI tenant or co-op member's obligation to pursue sponsorship payments if:

- the sponsor is in receipt of financial assistance through Ontario Works or ODSP
- the sponsor is in receipt of OAS / GIS / GAINS
- the pursuit of support may place a special priority applicant at risk of further abuse because the sponsor is the abuser
- the sponsor is deceased.

The housing provider should document the reason for the exception and review this annually as required.



## **Refugees**

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The Canadian refugee system has two main parts:

- the Refugee and Humanitarian Resettlement Program, for people who need protection from outside Canada and
- the In-Canada Asylum Program for people making refugee protection claims from within Canada

Resettlement is the term used by Immigration, Refugees and Citizenship Canada (IRCC) to describe the legal process of bringing a refugee to Canada to live as a permanent resident.

Refugees resettled from outside Canada may be Convention refugees or Country of Asylum Class refugees. These types of refugees can be sponsored by the federal government, a community group or a group of private citizens. Sponsorships usually last for one year.

Sponsoring groups promise to support the refugee and provide funds equivalent to at least the minimum amount of social assistance for the household. This is called resettlement assistance. Refugees are not eligible for Ontario Works while they are eligible to receive resettlement assistance.

Refugees who apply from within Canada are not sponsored and may be eligible for Ontario Works.

## **Refugees – RGI Amount**

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Convention refugees and Country of Asylum refugees that were resettled from outside Canada should be charged RGI at the greater of:

- 30% of their adjusted family income (excluding any resettlement assistance)
- the Ontario Works scale amount that would otherwise be applicable to their household.

The RGI tenant or co-op member should be referred back to their sponsoring group if their income or resettlement assistance is insufficient to meet their needs.

## Legislative References

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Housing Services Act, s. 42(1), 58  
Ontario Regulation 298/01, s. 31, 67



## 9. Calculation of RGI – Overview

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### Purpose

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To provide an overview of the steps to calculate rent-geared-to-income (RGI) assistance.

### Summary of Calculation Steps

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Rent-geared-to-income (RGI) is calculated as follows:

- Step 1**    Verify income received by all members of the household.
- Step 2**    Calculate the base RGI for each family unit and benefit unit in the household using the appropriate method.
- Step 3**    Add these amounts to determine the base RGI for the tenant or co-op member's household.
- Step 4**    Add to this amount any extra charges for additional services paid by the housing provider, such as electricity other than that used for heat or hot water.
- Step 5**    Subtract from this amount any allowances for services, utilities and heating that are not provided by the housing provider, and that are paid for directly by the tenant or co-op member.
- Step 6**    Compare the final amount to the minimum and market rent for the unit and adjust as required.
- Step 7**    Determine pro-rated RGI amounts for partial months, where applicable.
- Step 8**    Round the total RGI payable for the benefit unit to the nearest whole dollar.
- Step 9**    Notify the tenant or co-op member of the amount of RGI payable.

## Methods of RGI Calculation

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Rent-geared-to-income (RGI) is calculated separately for each family unit or benefit unit in the household and then added together to get the base RGI for the tenant or co-op member's household.

A family unit can be a single person, a single person with children, or a couple with or without children. Family units that receive social assistance from Ontario Works (OW) or the Ontario Disability Support Plan (ODSP) are called benefit units.

RGI is calculated for each family unit or benefit unit within the household using one of two basic methods.

**Method 1** is based on 30% of the adjusted family income. Adjusted family income is determined by adding all income received by members of the family, except excluded income, and adjusting this amount for employment, support payments and dependent income.

**Method 2** is based on set rent scales for social assistance recipients or benefit units.

Normally only one method is used for the household; however, where part of the family is a benefit unit and part of the family is not, or where there is more than one family unit in the household, a portion of the RGI is calculated separately for each family unit or benefit unit and then added together to get the base RGI for the whole household.

For example:

- Thelma lives with her daughter, Tammy (age 27) and Tammy's two children, age 5 and 6. Tammy receives OW for herself and her children. Thelma receives CPP.
- This household consists of one family unit (Thelma) and one OW benefit unit (Tammy and her children).
- Use Method 1 to determine Thelma's portion of the base RGI.
- Use Method 2 to determine Tammy and her children's portion of the base RGI.

- Brad and Angie live with their son Tom (age 26). Tom has earnings, and Brad and Angie receive ODSP as a couple. Tom is not included in their ODSP budget.
- This household consists of one ODSP benefit unit (Brad and Angie) and one family unit (Tom).
- Use Method 1 to determine Tom's portion of the base RGI.
- Use Method 2 to determine Brad and Angie's portion of the base RGI.

A household consists of three unrelated single people – Jim, John and Todd. Jim receives ODSP as a single person, as does John. Todd receives CPP-disability benefits only.

- This household consists of two ODSP benefit units (Jim and John respectively) and one family unit (Todd).
- Use Method 1 to determine Todd's portion of the base RGI.
- Use Method 2 to determine Jim's portion of the base RGI.
- Use Method 2 to determine John's portion of the base RGI.

## Verification of Income

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Regardless of the method used for RGI calculations, all members of a household must report and provide verification for all income that is used in RGI calculations.

Although tenants or co-op members must also declare income that is excluded from RGI calculations, verification is only required if the source of the income is at question. For example:

- verification is not required for the monthly Ontario Trillium Benefit which is excluded income for RGI
- verification may be required for a regular deposit to a bank account to determine if it is excluded income for RGI.

## Method 1 - 30% of Adjusted Family Income

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**Method 1** is based on 30% of the adjusted family income. Adjusted family income is the gross income of all members of the household, less any excluded income, and adjusted for employment, support payments and dependent income.

This method is used for family units that do not receive OW or ODSP. It is also used when the social assistance rent scales do not apply to an OW or ODSP benefit unit under Method 2.

Under this method, the base RGI for the family unit is calculated as follows:

- determine any income that is excluded from RGI calculations
- determine gross monthly income for each income source included in RGI calculations
- determine average monthly income for fluctuating earnings
- calculate imputed income for non-income producing assets
- calculate imputed income for transferred assets
- identify any court ordered support payments made by a member of the family unit
- determine applicable earnings exemption for employment related income
- determine adjusted family income by adding all included income and imputed income as determined above and subtracting any earnings exemptions and monthly support payments
- calculate the base RGI for the family unit at 30% of the adjusted family income
- calculate and add RGI for section 49(4) dependents.

### Excluded Income

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Although a tenant or co-op member is required to report all sources of income, certain types of income are excluded from the calculation of RGI.

Excluded income does not affect the amount of RGI charged to the tenant or co-op member.

### **Gross Monthly Income**

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All income used for calculating RGI must be converted to a monthly amount. Monthly amounts are determined as follows:

<b>Income Frequency</b>	<b>Factor</b>
Annual	Divide by 12
Weekly	Multiply by 4.333
Bi-weekly (every 2 weeks)	Divide by 2 and multiply by 4.333
Semi-monthly (2 times per month)	Multiply by 2

### **Average Fluctuating Earnings**

---

If a member of a family unit has earnings that fluctuate from pay to pay or month to month, these earnings will normally be averaged on a quarterly basis per Section 11 – Quarterly Reporting Reviews.

Average earnings are re-assessed each quarter, and RGI may be re-calculated based on the new average income. Where RGI is re-calculated outside the quarter due to income changes unrelated to the fluctuating earnings, the most recently calculated average earnings are used in the RGI calculation.

Earnings should be averaged annually when quarterly reporting indicates that the earnings are not significantly different from year to year.

In some circumstances, quarterly reporting may be impractical or unrepresentative of the person's actual income, and earnings may be averaged over a longer period of time. If earnings are averaged over a longer period, the reasons for this must be clearly documented in the file.



### **Imputed Income for Non-income Producing Assets**

---

Family units with non-income producing assets may have imputed income assessed against the asset for the calculation of RGI assistance. Imputed income is a deemed amount of revenue based on the value of the asset and the interest rate on the most recent November issue of regular Canada Savings Bonds rounded down to the nearest whole percentage.

Imputed income is only included in RGI calculations if it will increase the RGI payable by more than \$10.

Imputed income is determined in the same way for dependants with non-income producing assets.

### **Imputed Income for Transferred Assets**

---

If a member of a family unit transfers an asset within 36 months of moving into an RGI unit or any time after being housed, imputed income may also be calculated against this asset as though the person still has interest in it.

However, imputed income is only calculated against transferred assets if the transfer was made solely to reduce the amount of RGI payable. If the transfer was made in good faith or was reasonable in the circumstances, imputed income is not calculated.

If the transfer was made solely to qualify for RGI assistance under the asset limit, imputed income is not determined. Instead, the tenant or co-op member is deemed to still have the asset and continues to be ineligible for RGI assistance under the asset limit. If the transfer was made in good faith or was reasonable in the circumstances, the tenant or co-op member continues to be eligible for RGI.

Imputed income is determined in the same way for dependants that have transferred assets.

### **Income Reductions for Support Paid**

---

If a member of a family unit is paying court ordered support for a child or a spouse that is not part of their household, the monthly amount of support that is paid may be deducted from the monthly income of that family

member. Court ordered support does not offset the income of other family members.

Both the court order and the actual payment of support must be verified to be eligible for this deduction.

## **Earnings Exemptions**

---

Family units with employment-related income are entitled to an earnings exemption to offset their gross income. Employment related income includes:

- wages, salaries, commissions, bonuses
- tips and gratuities
- remuneration as a dependent contractor
- net business or self-employment income
- Employment Insurance (EI) benefits
- WSIB benefits for loss of earnings
- vacation pay
- payments for sick leave or sick time
- short term disability benefits under a workplace insurance plan.

A family unit with employment related income is entitled to an earnings exemption as follows:

- \$75 for a single person household
- \$150 for a single parent household
- \$150 for a couple with children
- \$150 for a couple with no children where both spouses have employment-related income
- \$75 for a couple with no children where only one person has employment-related income.

Earnings exemptions apply per family unit in the household. If there is more than one family unit in the household, the tenant or co-op member's household may qualify for more than \$150 in earnings exemptions.

For example:

- Joan is a single parent with two children. She works full-time. Joan lives with her sister, Donna. Donna receives EI benefits.
- Joan is entitled to an earnings exemption of \$150 because she has dependents.
- Donna is entitled to an employment exemption of \$75 because she is a single person, and not part of Joan's family unit.
- The total earnings exemption for the tenant or co-op member's household is \$225.

Some dependants with employment related income may qualify for an earnings exemption in their own right - in addition to any earnings exemption applied for their parents. These dependants are not section 49(4) dependants (see below). The income of these dependants is included in the calculation of RGI at the full 30%, even if they are full-time students.

If the dependant is entitled to an earnings exemption, the dependant is not also included for the purpose of determining any earnings exemption applicable to their parent(s).

For example:

- Catherine is a single parent with one child, Harry, who is not a section 49(4) dependant. Both Catherine and Harry work. Catherine's household is entitled to a total earnings exemption of \$150:
- \$75 for Catherine; as there are no applicable dependants, she is treated as a single person
- \$75 for Harry, who is treated as a single person.

- Liam is a single parent with two children, John and Paul. Both John and Paul are not section 49(4) dependants. Liam and John work, but Paul does not. Liam's household is entitled to a total earnings exemption of \$225:
- \$150 for Liam; he is considered to be a single parent with one dependant, Paul.
- \$75 for John, who is treated as a single person.

### **30% of Adjusted Family Income**

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Adjusted family income is determined by:

- adding all monthly amounts of included income and imputed income of all members of the family (excluding section 49(4) dependants – see below)
- subtracting the monthly amount of any support paid by a member of the family unit from the income of that member
- subtracting the applicable earnings exemption if there is employment related income.

Calculate 30% of the adjusted family income to determine the base RGI for the family unit, excluding section 49 (4) dependants.

### **Section 49(4) Dependants**

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Section 49(4) dependants are dependants who meet the criteria set out under section 49(4) of Ontario Regulation 298/01. They are dependants of the household who:

- have always been part of the household except for brief absences while attending school
- have never had a spouse or same sex-partner
- are not the parent of someone else in the household.

Dependants under the age of 18 are always considered section 49(4) dependants, even if they have not always lived in the household. This

might occur if the child resided with the other parent in the past, or if they were in the taken into care (e.g. Children's Aid or corrections).

For example:

Zayne is a 15 years old. He has never been married and does not have a child of his own. He has always lived with his mother who is divorced from his father.

Zayne comes to live with his father in social housing. He is treated as a section 49(4) dependant.

Income of section 49(4) dependants is not included in RGI calculations if the dependant is a full-time student. Non-section 49(4) dependants' income is included in RGI calculations at 30% even if they are full-time students.

If the section 49(4) dependant is not a full-time student, their income is treated as follows:

- If the dependant's income is less than \$75, exclude the income from RGI calculations.
- If the dependant's income is over \$75, calculate RGI at 15% of the first \$1,000 and 30% of any amount above this.

Section 49(4) dependants are never entitled to earnings exemptions in their own right. However, they are still considered dependants in determining any applicable earnings exemption for their parent(s).

For example:

- Leah is a single parent with one child, Louise, who is a section 49(4) dependant. Louise is not in school and she and Leah work.
- Leah is a single parent and is entitled to an earnings exemption of \$150.
- Louise's income is included at 15% of the first \$1,000 and 30% of the balance for the calculation of RGI.

## Method 2 – Social Assistance Rent Scales

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**Method 2** is based on set rent scales for social assistance benefit units. It is used when all or part of the household is a recipient of social assistance through either Ontario Works or ODSP.

The social assistance rent scales are based on the size and type of the benefit unit and are different for Ontario Works and for ODSP. The benefit unit is defined by the Ontario Works or ODSP office and may or may not include all members of the family unit in the household.

Each social assistance rent scale sets out the base RGI for the benefit unit, as well as a limit or threshold for the amount of non-benefit income (i.e. income other than Ontario Works or ODSP) that the benefit unit can receive at that rate of RGI.

- If the total non-benefit income for the benefit unit is less than or equal to the threshold, the RGI amount set out in the social assistance rent scale is the base RGI for the benefit unit.
- If the total non-benefit income for the benefit unit is greater than the threshold, the base RGI for the benefit unit is calculated using Method 1. Ontario Works and ODSP income is not included in the calculation of RGI assistance under Method 1.

### Non-Benefit Income

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Non-benefit income is basically all income received by the benefit unit except social assistance income from Ontario Works or ODSP.

Both the Ontario Works and the ODSP social assistance rent scales identify non-benefit income thresholds. When comparing non-benefit income to the thresholds set out in these scales, the following is not included:

- social assistance income from Ontario Works or ODSP
- income that would otherwise be excluded from RGI calculations under Method 1
- imputed income for non-interest producing assets or transferred assets.

Additionally, earnings exemptions and the exemption for the first \$75 of section 49(4) dependant income do not apply to the calculation of non-benefit income.

### **Ontario Works Benefit Units**

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RGI for Ontario Works benefit units is calculated according to one of two social assistance rent scales:

- one for single parent families
- one for all other Ontario Works benefit units.

The base RGI for an Ontario Works benefit unit is calculated as follows:

- determine the total non-benefit income for the benefit unit
- determine the size of the benefit unit
- determine the type of the benefit unit (i.e. sole support family or other) and the applicable Ontario Works rent scale
- compare the total non-benefit income to the threshold set out in the applicable Ontario Works social assistance rent scale for the benefit unit
- if the total non-benefit income is less than or equal to the threshold, use the RGI amount set out in the social assistance rent scale as the base RGI for the benefit unit
- if the total non-benefit income is greater than the threshold, use Method 1 to calculate the base RGI for the benefit unit; do not include the Ontario Works income in the calculation of RGI assistance under Method 1.

Social assistance rent scales are used only for benefit units that receive regular Ontario Works benefits. Benefit units that receive special benefits with no shelter allowance are not charged RGI against this income.

If Method 1 is used to calculate the base RGI for an Ontario Works benefit unit, the Ontario Works income is not included in the calculation.

See Section 12 – Ontario Works Benefit Units for more information about calculating RGI for Ontario Works benefit units.

## ODSP Benefit Units

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RGI for ODSP benefit units is calculated according to the ODSP social assistance rent scale as follows:

- determine the total non-benefit income for the benefit unit
- determine the size of the benefit unit
- compare the total non-benefit income to the threshold set out in the ODSP social assistance rent scale for the benefit unit size
- if the total non-benefit income is less than or equal to the threshold, use the RGI amount set out in the social assistance rent scale as the base RGI for the benefit unit
- if the total non-benefit income is greater than the threshold, use Method 1 to calculate the base RGI for the benefit unit; do not include ODSP income in the calculation of RGI assistance under Method 1

Social assistance rent scales are used only for benefit units that receive regular ODSP. Benefit units that receive special benefits with no shelter allowance are not charged RGI against this income.

If Method 1 is used to calculate the base RGI for an ODSP benefit unit, the ODSP income is not included in the calculation.

See the Section 13 – ODSP Benefit Units Section for more information about calculating RGI for ODSP benefit units.

## Utility Adjustments

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RGI is intended to reflect the cost of “fully-serviced accommodation” which includes heat, water, hot water, refrigerator and stove. Where these are not provided or where services are provided in addition to these, the base RGI is adjusted for utilities.

Utility adjustments are based on set scales that are determined according to the size of the unit, the utilities and services provided by the housing provider, and additional charges paid by the tenant or co-op member. The scales set out:



- **extra charges** that are added to the base RGI where the housing provider pays the cost for additional services such as laundry facilities or electricity other than that used for heat or hot water
- **allowances** that are subtracted from the base RGI where the tenant or co-op member is required to pay for water, hot water or provide their own fridge or stove.
- **allowances for heat** that are subtracted from the base RGI where the tenant or co-op member is required to pay for their own heating costs.

Any combination of allowances and extra charges may be applied to an RGI unit. These are added together to determine the set utility adjustment for the unit.

Utility adjustments are applied only once for the unit. If there is more than one family unit or benefit unit in the household, the utility adjustment is made to the total base RGI for the whole household – not individual family units.

## Minimum Rent

---

The minimum rent payable for an RGI unit is \$85 per month. This amount applies to the entire household. If there is more than one family unit or benefit unit in the household, the total amount for the household cannot be less than \$85.

The tenant or co-op member's household utility adjustments cannot reduce the rent below \$85.

## Maximum Rent

---

The maximum RGI that can be charged to a tenant or co-op member's household is the amount of the market rent for the unit.

If RGI is calculated at more than the market rent, the RGI is reduced to an amount equivalent to the market rent.

## Notification

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Tenants or co-op members must be notified whenever there is a change in the amount of RGI payable. Notice should be sent out immediately, but no later than 7 days from the date of the decision to change RGI.

If the RGI increases, the increase takes effect on the first day of the second month following:

- the date of notice, if the increase is as a result of an annual RGI review
- the date of change, if the increase is as a result of a change to the tenant or co-op member's household income or composition.

If the RGI decreases, the decrease takes effect on the first day of the month following:

- the date of notice, if the decrease is as a result of an annual RGI review
- the date of change, if the decrease is as a result of a change to the tenant or co-op member's household income or composition.

All notices of RGI changes must include a statement of the tenant or co-op member's right to request a Regional Review within 10 days of receiving the notice.

## Legislative References

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Ontario Regulation 298/01, Part VII – Calculation of Geared-to-Income Rent



## 10. Excluded Income

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### Purpose

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To define the types of income that are not included in the calculation of RGI under Method 1 or under the income limits.

### Overview

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All income received by members of the household is included as income in the calculation of RGI assistance and under the income limits with the following exceptions:

- Canada Pension Plan (CPP) Children's Benefits and lump sum death benefits
- Capital gains
- Child support for special or extraordinary expenses (Section 7 expenses)
- Disability related items and services – payments intended for this purpose
- Employment or training costs – payments intended to reimburse these costs
- Extended Care And Maintenance Allowance (ECM) for former crown wards
- First Nations benefits – designated benefits payable to Indigenous people
- Foster child income and special payments to adoptive parents
- Gifts and donations of small value
- Housing and homelessness payments
- Income from the disposition of assets
- Inheritances

- Learning, Earning And Parenting Program (LEAP) incentives
- Loans
- Lump sum income (certain types)
- Ministry of Community and Social Services Act payments
- Pain and suffering compensation payments
- Pre-paid funeral plans – interest earned
- Registered Education Savings Plan (RESP) interest income
- Registered Retirement Savings Plan (RRSP), a Registered Retirement Income Funds (RRIF), a Life Income Fund (LIF) or other life or retirement annuity – interest earned
- Resettlement Assistance Plan payments to new immigrants
- Social assistance
- Student loans, grants and awards
- Students - income of dependent children who are also students
- Tax returns and rebates
- Trust fund interest – for disabled people or withdrawn for disability related items and services or for educational costs
- Veterans Independence Program benefits or a Special Allowance under the Veterans Affairs Disability Pension Program
- Windfalls
- Workplace Safety Insurance Board (WSIB) income designated as B165 payments

## Canada Pension Plan (CPP) Income

---

Most income received through the Canada Pension Plan (CPP) is included as income for RGI calculations and under the income limits. However, the following types of CPP income are exempt:

- children's benefits

- lump sum death benefits.

### **CPP Children's Benefit**

---

Under the Canada Pension Plan (CPP), children of disabled or deceased contributors may be entitled to CPP children's benefits. There are two types of children's benefits:

- a monthly payment to a natural or adopted child of a person receiving a CPP disability benefit.
- a monthly payment to a natural or adopted child of a deceased CPP contributor or to a child who was in the care and custody of the contributor at the time of death.
- CPP children's benefits are paid in the name of the custodial parent or guardian until the child turn 18. An eligible child between the ages of 18 and 25 may continue to receive the CPP children's benefits in their own name if they are a full-time student.

CPP children's benefits are not included as income in RGI calculations or under the income limits regardless of whether the benefit is paid in the name of the parent or the child.

CPP children's benefits are to be verified by a payment stub or written statement from the Government of Canada.

### **CPP Death Benefit**

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The Canada Pension Plan death benefit is a one-time, lump-sum payment made to, or on behalf of, a deceased contributor's estate.

It is paid in addition to any survivor or children's' benefits paid on a monthly basis. The maximum amount payable for the CPP death benefit is \$2,500.

The CPP death benefit is not included as income in RGI calculations or under the income limits. Income from a CPP death benefit is to be verified by a payment stub or written statement from Service Canada.

## Child Support - Special or Extraordinary Expenses (Section 7 Expenses)

---

Section 7 of the Child Support Guidelines set out in Ontario Regulation 391/97 of the *Family Law Act*. permits payments for special or extraordinary expenses in addition to the basic amount of child support.

Special or extraordinary expenses include:

- child care expenses incurred as a result of the custodial parent's employment, illness, disability or education or training for employment
- health-related expenses for the child including payment of medical and dental insurance premiums
- expenses for the child's educational programs including post-secondary school
- expenses for the child's extracurricular activities.

The guiding principle in determining orders for section 7 expenses is that the special or extraordinary expense is shared by both parents in proportion to their respective incomes.

Section 7 payments may be made directly by the non-custodial parent toward the special or extraordinary expense or they may be paid to the custodial parent for the payment of the expense.

Unlike regular child support payment, section 7 expense payments are not included in the calculation of RGI regardless of whether they are paid directly by the non-custodial parent or paid to the custodial parent for the payment of the expense.

Section 7 expense payments can be verified by court order or written agreement for support as they are normally set out in as intended for a specific expense.

## Disability Related Items or Services (Payments)

---

Payments that are specifically intended for the purchase of disability related items or services are excluded from RGI calculations and under the income limits.

Additionally, the following types of income are specifically exempt under the regulations:

- a payment received under section 2 (2) of the *Developmental Services Act* to provide support services to a developmentally disabled person
- a payment under the *Ministry of Community and Social Services Act* that is made directly or indirectly to a person with a disability for required goods and services
- a payment made to a disabled person from a trust fund or life insurance policy that is applied to disability related expenses or services
- a gift or donation that is intended for disability related expenses or services.

Government benefits issued for disability related items and services are to be verified per a payment stub or written statement by the relevant government department or agency. Verification of the intended purpose is not normally required, but the housing provider may request verification if it is at question.

### **Registered Disability Saving Plan**

A Registered Disability Savings Plan (RDSP) is a savings plan that helps parents and others save for the long-term financial security of a disabled person. Contributions to an RDSP can be made until the end of the year in which the disabled person turns 59.

A Canada Disability Savings Grant is a federal government contribution to an RDSP based on the disabled beneficiary's family income and the amount contributed. An RDSP can get a maximum of \$3,500 in matching grants in one year, and up to \$70,000 over the disabled person's lifetime.

A Canada Disability Savings Bond (bond) is a direct federal government payment into an RDSP of up to \$1,000 a year to low-income people with disabilities. No contributions have to be made to get the bond. The lifetime bond limit is \$20,000.

RDSP income is exempt from RGI calculation including:

- a Canada Disability Savings Grant or a Canada Disability Savings Bond paid into an RDSP



- gifts or voluntary payments from someone outside the household that are contributed to an RDSP
- interest, dividends and other income accrued in an RDSP
- payments from an RDSP.

## **Employment or Training Costs (Payments)**

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Household members that are employed, registered in employment training activities or doing volunteer work may receive income to cover specified expenses or the costs of training programs. This income is generally not included in RGI calculations or under the income limits.

### **Reimbursement of Employment or Training Expenses**

---

Flow through payments received as reimbursement or compensation for employment expenses are not included as income for RGI calculations or under the income limits. Employment expenses may include:

- hotel, motel or other temporary accommodation costs with respect to employment away from home
- meals, snacks or other food costs
- travel expenses including, but not limited to, car mileage payments, air fares, rail fares, bus fares, parking and road tolls.

In addition to the above exemptions, allowances or payments received for expenses incurred due to job training or other employment related programs are also exempt. This includes, but is not limited to, costs related to:

- tuition
- books or other supplies
- conferences or conventions
- child care
- hotel, motel or other temporary accommodation costs with respect to employment away from home

- meals, snacks or other food costs
- travel expenses including, but not limited to, car mileage payments, air fares, rail fares, bus fares, parking and road tolls.

All of these exemptions also apply to people in volunteer positions who are not paid for their work, but do receive fixed or variable amounts for their expenses.

These payments are to be verified by pay stubs or a letter from the employer or training provider clearly indicating the reimbursement of an expense.

### **Grants or Payments for Employment Training Costs**

---

Grants or payments that are provided to pay for an employment training program are not normally included as income for RGI calculations or under the income limits.

Additionally, income from the following programs is specifically exempt under the regulations:

- a grant received under the *Employment Insurance Act (Canada)* for the purchase of an approved training course by a member of an Ontario Works benefit unit
- a payment received from Human Resources Development Canada under the Opportunities Fund for Persons with Disabilities, if the payment is applied or intended for costs incurred as a result of participation in employment-related activities

These payments are normally made directly to the agency providing training and do not normally require verification. Where the payment is made directly to the tenant, the housing provider should request verification that it is for the purchase of a training program per a letter or written statement from the organization that issued the funds.

### **First Nations Benefits**

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There are a number of payments made to First Nations peoples that are excluded from RGI calculations and under the income limits. These are:

- a payment received from the Department of Indian Affairs and Northern Development (Canada) or from a band for board and lodging of a student attending a secondary school not on the reserve
- a payment received pursuant to the *Indian Act* (Canada) under a treaty between Her Majesty in right of Canada and a band, other than funds for post-secondary education
- a payment received from a band as an incentive bonus for school attendance by a person who is a child of a member of the family unit and who is attending school
- a payment received 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 that was made against the Government of Canada or a church or other religious organization, including payments received under the Indian Residential Schools Settlement Agreement.

This income is to be verified by a written statement from the Department of Indian Affairs and Northern Development (Canada) or the pertinent band clearly indicating the authority for and intent of the funds.

## **Foster Children, Adoption and Crown Wards (Payments)**

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There are a number of payments made under the authority of the *Child and Family Services Act* that are not included in RGI calculations or under the income limits.

Additionally, income received by a child in care is never included as income for RGI calculations or under the income limits as foster children are not considered a part of the household.

### **Foster Child Income**

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RGI tenants and co-op members with foster children in their care may receive foster care payments from a Children's Aid Society (CAS) or from an agency under contract with the CAS. This income is not included in RGI calculations or under the income limits and may include:

- payments to care for an unrelated child

- periodic payments for car seats or other items to family members under kinship agreements
- temporary payments to potential adoptive parents during a trial period.

This income is to be verified per payments stubs or written statements from the relevant Children's Aid Society, Catholic Children's Aid Society or one of their agents.

### **Payments to Adoptive Parents**

Some adoptive parents may receive an adoption subsidy to offset the costs of adopting and raising a child with special needs. This income is not included as income for RGI calculations or under the income limits.

This income is to be verified per payments stubs or written statements from the relevant Children's Aid Society, Catholic Children's Aid Society or one of their agents.

### **Extended Care and Maintenance Allowance (ECM)**

Former Crown wards between the ages of 18 and 21 years old may receive extended care and maintenance (ECM) allowances under the *Child and Family Services Act*. The ECM may be paid on a monthly basis and/or for a specific purpose.

The ECM is not included as income for RGI calculations or under the income limits. It is to be verified by a payment stub or written statement from the issuing Children's Aid Society.

## **Gifts and Donations**

Gifts and donations are normally provided for specific purposes and received in lump sums. This might include:

- donations received from a religious, charitable or benevolent organizations
- casual gifts or casual payments of small value from friends or family.

Donations received from religious, charitable or benevolent organizations are not included in RGI calculations even if they are paid out other than as a lump sum.

Periodic gifts under \$1,000 are excluded from RGI calculations and under the income limits. Where the gift exceeds \$1,000, it may also be excluded if it is intended for a specific purpose. This might include, but is not limited to, payments:

- for disability related items
- of educational costs for any member of the household
- for children's recreational activities
- that are intended to settle a debt or to pay a specified bill.

All gifts and donations that are declared by the tenant should be documented in the tenant file. Verification is not required unless the gift or donation exceeds \$1,000. These can be verified by a letter or written statement from the benefactor.

If a gift or donation over \$1,000 is excluded from RGI calculations because it is intended for a specific purpose, this must be clearly documented in the tenant file. Verification of the intended purpose is not normally required, but the housing provider may request it if it is at question.

## **Housing and Homelessness Payments**

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Benefits payable through the Region of Durham, or another service manager, to assist a tenant or co-op member maintain or obtain housing are excluded from RGI calculations and under the income limits.

### **Housing Stability Program**

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The Housing Stability Program (HSP) is a Region of Durham program that assists people with sustainable accommodations through two program streams: eviction prevention and obtaining rental accommodations. Benefits are payable through the Community Development Council Durham (CDCD) for:

- rent arrears
- heat and utility arrears, connection fees and security deposits
- last month's rent deposits
- moving costs
- other discretionary benefits that will prevent homelessness or facilitate access to permanent housing.

These payments are also excluded from RGI calculations and under the income limits.

In some circumstances, a new tenant or co-op member may receive a similar payment through a Community Homelessness Prevention Initiative (CHPI) of another municipality. These payment are also excluded from RGI calculations and under the income limits.

### **Durham Housing Benefit**

The Durham Housing Benefit is a short term program that pays a flat rate rent supplement directly to a landlord. Recipients of the Durham Housing Benefit will no longer be eligible for when they start to receive RGI. However, the Durham Housing Benefit is excluded as income under the income limits for RGI applicants.

### **Income from the Disposition of Assets**

Income derived from the sale or liquidation of assets is normally not included in the calculation of RGI assistance or under the income limits. This can include:

- a capital gain
- the proceeds received from the sale, liquidation or other disposition of real or personal property
- cashing assets, including RRSPs.

Details of the disposition of the asset must be documented on the tenant file. Verification of the sale of real estate or other assets of significant value should also be on file.

Verification of income from the sale of personal property (e.g. through a garage sale, E-bay, etc.) is not normally required.

## Inheritances

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Income that is received as an inheritance is not included as income in RGI calculations or under the income limits.

However, if the amount of the inheritance and other household assets exceeds the allowable asset limit, the tenant or co-op member may be determined ineligible for RGI assistance.

Inheritances in excess of \$1,000 are to be verified per a letter from the executor of the estate of the deceased person.

## Learning, Earning And Parenting (LEAP) Incentives

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Learning, Earning and Parenting (LEAP) is a program offered to young parents (aged 16 to 21) on Ontario Works to help them finish high school and enhance their parenting skills.

Upon completion of the program and graduation from high school, LEAP provides a \$500 incentive that must be either:

- placed in a bursary for the parent's post-secondary education or training
- held in trust for the education of the parent's child(ren).

LEAP incentives are not included as income for RGI calculations or under the income limits.

LEAP incentives do not normally need to be verified unless the source of the income is at question.

## Loans

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Loans are not included as income in RGI calculations or under the income limits. A loan is an amount of money that must be repaid, either with or without interest. They can include loans made:

- by a bank, trust company or other lending institution
- by a friend or relative
- through a credit card or line of credit
- through the Ontario Student Assistance Program (OSAP).

If the loan is forgiven, the amount may be treated as a gift or donation. OSAP and other student loans are always RGI exempt even if they are forgiven.

Loans are to be verified per a statement from the lending institution. Loans issued for a specified purchases (e.g. a car loan) do not need to be verified.

OSAP loans can be verified per a written statement from the National Student Loans Service Centre.

Personal loans received from friends or relatives are to be verified by a letter from the lender if the loan exceeds \$1,000. The letter should state the amount of the loan and the date the funds were issued, and should stipulate that the amount must be repaid.

Periodic cash withdrawals from credit cards and lines of credit do not normally need to be verified. However, a housing provider may request verification from the lending institution if the source of the income is at question.

## **Lump Sum Income**

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Lump sum income is normally excluded from RGI calculations, and under the income limits, but is included as an asset when determining eligibility for RGI. Specifically excluded are:

- lump sum insurance payments
- lump sum severance payments due to dismissal from employment
- lump sum payments received under a decision of a court
- lump sum payments received under a decision of a statutory tribunal
- lump sum death benefits received under the Canada Pension Plan



- lump sum equalization payments received as a result of a divorce settlement
- lump sum payments under the Community Homelessness Prevention Initiative (CHPI)
- lump sum payments under the Region of Durham's Housing Stability Program
- lump sum WSIB Loss of Retirement (LRI) benefits.

Lump sum retroactive payments that are intended for a previous time period are included in RGI calculations for the months in which they were intended. Normally these lump sums lead to ongoing monthly payments.

Lump sum payments are to be verified per a payment stub, written statement from the source of the payment, or copy of the court order or statutory tribunal decision.

## Ministry of Community and Social Services Act Payments

Part of the *Ministry of Community and Social Services Act* allows for special payments to be made from time to time in specified circumstances. These payments include, but are not limited to:

- payments for injury or damage inflicted upon them by:
- someone in the care and custody or under the control or supervision of an employee of the Ministry of Community and Social Services (MCSS)
- a crown ward
- a young offender in custody or detention
- grants paid directly or indirectly to people with disabilities for required goods and services
- Learning, Earning and Parenting (LEAP) program incentives.

Any payments made under the *Ministry of Community and Social Services Act* are not included as income for RGI calculations or under the income limits.

Income is to be verified per payment stubs or a written statement from the Ministry of Community and Social Services indicating the type of benefit. LEAP incentives do not require verification.

## **Pain and Suffering Compensation Payments**

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Payments received as damages or compensation are excluded from RGI and under the income limits if they are intended for either:

- pain and suffering due to the injury or death of a household member
- expenses reasonably incurred as a result of the injury or death of a household member.

Expenses that are reasonably incurred include, but are not limited to, expenses for child care, homemaking, and travel expenses.

Awards that are given for loss of earnings or other income are not exempt and are to be included in RGI calculations and under the income limits.

These payments are to be verified per a payment stub or written statement from the funder clearly indicating that it is for pain and suffering or for the reimbursement of expenses.

Additionally, there are certain types of compensation payments that are explicitly excluded from RGI calculations and under the income limits in the regulations.

## **Aboriginal Residential Schools Claims**

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A payment received as a result of a claim that relates to an aboriginal residential school that was made against the Government of Canada or a church or other religious organization is not included as income for RGI calculations and under the income limits.

This includes, but is not limited to, a payment received under the Indian Residential Schools Settlement Agreement which was implemented in September 2007. The Settlement provides for:

- a Common Experience Payment (CEP) of \$10,000 for the first school year plus \$3,000 for each school year after that

- an Independent Assessment Process (IAP), which replaces the federal government's Alternative Dispute Resolution process, and provides payments of between \$5,000 to \$275,000 for those who suffered serious abuses
- income loss payments of up to \$250,000
- personal credits if there is sufficient funding remaining in the federal CEP fund after all claims are paid.

### **Compensation for Sterilization from the Government of Alberta**

The Government of Alberta has settled a number of claims to compensate people who were sterilized under its *Sexual Sterilization Act* (1928) between 1928 and 1972.

Compensation payments received as a result of such claims are excluded from RGI calculations and under the income limits.

### **Extraordinary Assistance Plan**

The Extraordinary Assistance Plan (Canada) provides compensation to people who became infected with HIV through the Canadian blood system. The plan may also make payments for other purposes from time to time.

Payments received under the Extraordinary Assistance Plan (Canada) are not included as income for RGI calculations or under the income limits.

### **Grandview Agreement**

This agreement provides compensation to people who experienced abuse at Grandview Training School for Girls in Cambridge.

These payments are excluded from RGI calculations and under the income limits.

### **Helpline Reconciliation Model Agreement**

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This agreement provides compensation to people who were abused by Catholic clergy in residential schools in the Ottawa and Toronto archdioceses.

These payments are excluded from RGI calculations and under the income limits.

### **Multi-Provincial/Territorial Assistance Program Agreement**

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This program provides compensation to people who were infected with HIV through contaminated blood supplies. It may also provide compensation to the infected person's survivors.

Payments from this program are excluded from RGI calculations and under the income limits.

### **Ontario Hepatitis C Assistance Plan**

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This plan provides compensation to people who contracted hepatitis C virus (HCV) through the blood system in Ontario, or from their spouse or parent who contracted HCV through the blood system in Ontario before January 1, 1986 or between July 2, 1990 and September 28, 1998. It may also provide compensation to the infected person's survivors.

Payments from this plan are excluded from RGI calculations and under the income limits.

### **1986-1990 Hepatitis C Settlement Agreement**

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This plan provides compensation to people who contracted the hepatitis C virus (HCV) through the blood system in Ontario, or from their spouse or parent who contracted HCV through the blood system in Ontario between January 1, 1986 and July 1, 1990. It may also provide compensation to the infected person's survivors.

Payments from this plan are excluded from RGI calculations and under the income limits.

### **Walkerton Compensation Plan**

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This plan provides financial support and compensation to any individuals who became sick or lost loved ones or otherwise incurred certain out-of-pocket expenses or losses, because of contaminated water in Walkerton.

Payments from this plan are excluded from RGI calculations and under the income limits.

### **War Reparation Payments**

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War reparation payments provide compensation for damages or losses suffered during a war. They are generally paid by the defeated country to the victor.

Where an individual receives a war reparation payment, this amount is not included as income for RGI calculations and under the income limits.

### **Prepaid Funeral Plans - Earned Interest**

---

A prepaid funeral plan refers to services and products which are paid in advance of the plan holder's death under contract with either a funeral home or an insurance company.

When a person purchases a prepaid funeral plan, the funds are either held within an insurance policy or in trust with a financial institution like a bank or a trust company. Funds held in trust will earn interest until the services are provided upon the death of the plan holder or the plan is cancelled.

Interest received from or accrued in a prepaid funeral plan is not included in RGI calculations or under the income limits.

If a prepaid funeral is cancelled, the funds and accrued interest will be refunded to the plan holder less fees paid to the funeral home or insurance company. Neither the initial funds invested nor the interest earned is included in RGI calculations or under the income limits.

Interest accrued in a prepaid funeral plan does not normally need to be verified. Where a plan is cancelled the tenant is required to provide verification from the funeral home or insurance company of the cancellation and the amount refunded.

## Registered Education Savings Plan (RESP) Income

---

A Registered Education Savings Plan (RESP) is a type of savings account that grows tax free until a child is ready for post-secondary education. The RESP holder (e.g. a parent or a grandparent) makes contributions on behalf of the child, the beneficiary named in the plan.

RESP holders can also receive Canada Education Savings Grants (CESG) from the federal government to match their own contributions to the plan. These payments are made directly into the child's RESP. The CESG can be as much as \$400 per year and could amount to a lifetime total of \$7,200 for each RESP.

Where a member of a household holds an RESP for a child, the following income is not included as income for RGI calculations or under the income limits:

- interest, dividends or any other income received from or accrued within the RESP
- any Canada Education Savings Grants (CESG) contributions paid into the RESP
- money withdrawn from the RESP for the child's post-secondary education.

Tenants are required to provide copies of annual statements pertaining to any RESP investments.

## Resettlement Assistance Plan Benefits

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The Resettlement Assistance Program (RAP) provides government-assisted refugees with support services and financial support for the basic needs. Income support can last up to one year from the date of arrival in Canada, although some refugees with special-needs may receive income support for 24 months or more.

Financial support through RAP can include a monthly income support payment, a one-time household start-up allowance and special allowances.

Monthly income support payments through RAP are included as income in RGI calculations and under the income limits. However, the onetime start-up allowance and other special allowances under RAP are exempt.

The one-time start-up payment covers:

- basic household needs like furniture, bed linens, basic window coverings, kitchen utensils, pots and pans, brooms, and other common household products
- a staple allowance to buy items to set up a household, such as food staples and cleaning items
- a clothing allowance
- a winter clothing allowance for refugees that arrive during the winter months.

The special allowances include:

- an allowance for children under the age of six
- a school start-up allowance for children attending school from kindergarten through high school, as well as a monthly school allowance
- a maternity allowance for pregnant women
- a newborn allowance for a family to buy clothing and furniture for their child
- a housing supplement.
- All RAP payments are to be verified per a payment stub or a written statement from the Government of Canada. Start-up benefits and special allowances must be clearly indicated.

## Retirement Investments

---

A Registered Retirement Savings Plan (RRSP) is a type of savings account or other investment that grows tax free until retirement. A person can contribute to an RRSP until they turn 71. By the end of that year, the RRSP must be cashed or transferred to a Registered Retirement Income Fund (RRIF) or other annuity.

Interest and dividend income that is earned within registered retirement investments is not included in RGI calculations or under the income limits. However, some investments, like RRIFs, are specifically set up to generate a source of income; this type of income is not exempt.

### **Registered Retirement Savings Plans (RRSP)**

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A Registered Retirement Savings Plan (RRSP) is a tax-deferred savings plan that is registered with the Canada Revenue Agency (CRA). RRSPs can be held in a variety of different investments, like savings accounts, mutual funds, guaranteed investment certificates (GIC), stocks and bonds.

RRSPs can be locked-in or not locked-in. Locked-in RRSPs are created from funds transferred from a registered pension plan (RPP) or company pension. These funds cannot normally be withdrawn before retirement.

Interest, dividends or any other income received from or accrued within an RRSP, either locked-in or not, is not included as income in RGI calculations or under the income limits.

Income withdrawn from an RRSP prior to retirement is considered liquidation of an asset and is not included as income in RGI calculations or under the income limits. However, once the income is withdrawn, any interest or income earned on this withdrawn amount is no longer exempt.

Tenants are required to provide copies of annual statements pertaining to any RRSP investments.

### **Registered Retirement Income Funds (RRIF), Life Income Funds (LIF) and Life Annuities**

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A Registered Retirement Income Fund (RRIF) is a tax-deferred retirement plan that generates income from the savings accumulated under a Registered Retirement Savings Plan (RRSP). Plan holders are required to make a minimum withdrawal from their RRIF each year.

A Life Income Fund (LIF) operates like a RRIF in that the plan holder must withdraw a minimum amount from the LIF each year. But unlike a RRIF, there is a limit placed on the maximum amount that can be withdrawn each year. The aim of this legislated amount is to ensure that the LIF provides income for life.



In the year that an RRSP holder turns 71, they must choose one of the following options for the RRSP:

- withdraw them
- transfer them to a RRIF
- use them to purchase an annuity for life
- use them to purchase an annuity spread over a number of years.

Interest and dividends accumulated within a RRIF, a LIF or other life or retirement annuity is not included as income in RGI calculations or under the income limits.

However, the withdrawal amount that is generated from a RRIF, LIF or other life or retirement annuity is included as income for the calculation of RGI assistance and under the income limits.

For example:

Carl is an RGI tenant and has an RRIF valued at \$35,250. Last year he earned \$1,497 in interest. The minimum required withdrawal from his plan is \$3,679 annually (\$306.59 per month). Carl withdraws \$350 per month from his RRIF.

- The \$1,497 interest earned in the RRIF is not included in RGI calculations.
- The amount that Carl actually withdraws from his RRIF is included in RGI calculations.
- The RGI calculations will include RRIF income of \$350 per month.

Tenants are required to provide copies of annual statements or their T4RIF tax slip pertaining to any RRIFs, LIFs or other life or retirement annuities to verify both the amount of the investments and any regular withdrawals made from them.

## Social Assistance

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Social assistance income is not included as income for RGI calculations or under the income limits. This includes payments for:

- Ontario Works
- the Ontario Disability Support Program (ODSP)
- Temporary Care Allowances paid under Ontario Works
- Assistance for Children with Severe Disabilities (ACSD), which is a special ODSP benefit made to parents of eligible disabled children.

Social assistance can be confirmed by:

- the Ontario Works or ODSP monthly Statement of Assistance
- a letter from the Ontario Works or ODSP office, noting the names of all benefit members.

## Student Income

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Student related income is generally exempt from RGI calculations and under the income limits.

Income received by a full-time student who is also a child of the household (section 49(4) dependent) is also exempt.

### **Student Loans, Grants and Awards**

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Income received for the payment of education related costs by any member of the household is not included as income for RGI calculations or under the income limits. This includes:

- Ontario Student Assistance Program (OSAP) grants and loans
- private student loans
- fellowships, scholarships, bursaries and other student awards given to post-secondary students
- graduate scholarship awards including payments received under the:

- Ontario Graduate Scholarship Program
- Social Sciences and Humanities Research Council Program
- Natural Sciences and Engineering Research Council Program
- Canadian Institute of Health Research.
- bursaries for high school students
- a payment received from the Canada Millennium Scholarship Foundation.

Student loans, grants and awards are to be verified per a letter or written statement from the institution that issued the funds. OSAP loans and grants can be verified per a written statement from the National Student Loans Service Centre.

### **Other Income Received by a Student**

Any income received by a full-time student is not included as income for RGI calculations or under the income limits if the student is a section 49(4) dependent.

Section 49(4) dependants are dependants who meet the criteria set out under section 49(4) of Ontario Regulation 298/01. They are dependants of the household who:

- have always been part of the household except for brief absences while attending school
- have never had a spouse or same sex-partner
- are not the parent of someone else in the household.

Dependants under the age of 18 are considered section 49(4) dependants if they would otherwise meet the above criteria except for having resided with the other parent in a different household in the past.

For example:

Zayne is a 15 years old. He has never been married and does not have a child of his own. He has always lived with his mother who is divorced from his father.

Zayne comes to live with his father in social housing. He is treated as a section 49(4) dependant.

In order for the student income to be excluded, the student must be registered full-time with a recognized educational institution. This means that they must be a student at:

- a public, separate (Catholic) or private primary or elementary school
- a public, separate (Catholic) or private secondary school or high school
- a university
- a college of applied arts and technology (community college)
- a private vocational school or career college as authorized under the *Private Career Colleges Act*.

A full-time student is a student who is taking at least 60% of a full course load, or at least 40% of a full course load if the student is disabled.

The income of students on summer or other temporary breaks continues to be excluded from RGI calculations and under the income limits as long as they are registered or intending to attend full-time for the next school term.

Student income that is excluded from RGI calculations does not need to be verified. A housing provider may request verification of school registration and attendance if either is at question only if there is income to exclude.

## **Tax Returns and Rebates**

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Income tax refunds, credits and other payments are not included in RGI calculations or under the income limits. This includes:

- federal and provincial income tax refunds
- GST and HST rebates or credits
- Trillium Benefit payments
- Canada Child Benefit (CCB) and Ontario Child Benefits (OCB) payments

- Working Income Tax Benefit (WITB) payments
- other periodic payments that may be made from time to time under the *Income Tax Act*.

Annual income tax returns must be on file for all tenants. However, the amount of refunds, credits, rebates or other tax payments that are excluded from RGI calculations do not normally require verification. A housing provider may request verification from Service Canada if the source of the income is at question.

## **Trust Funds for People with Disabilities**

---

A payment made to a person with a disability from a trust fund or life insurance policy is not included as income for RGI calculations or under the income limits if the payment is applied to:

- disability related expenses or services that will not be otherwise reimbursed
- education or training expenses for the disabled person that will not be otherwise reimbursed.

Interest or other income earned within the trust is also exempt as income from RGI calculations and under the income limits.

Income withdrawn from a trust fund is to be verified by a letter or written statement from the trustee.

If the income is excluded from RGI calculations because it is intended for a specific purpose, this must be clearly documented in the tenant file. Verification of the intended purpose is not normally required, but the housing provider may request it if it is at question.

## **Absolute Discretionary or Henson Trusts**

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Absolute discretionary or Henson trusts are sometimes set up by the parent of a disabled child to ensure that they continue to qualify for social assistance after the death of the parent. These trusts give absolute discretion to the trustee for how the trust is administered. The trustee is not obligated to make the funds available to the disabled person for their maintenance or support.

Discretionary trusts are not an asset of the disabled person and are not included under the asset limits. However, income received from these trusts is treated the same way as income received from other trusts set up for a disabled person.

## **Veterans' Benefits**

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Payments for the following veterans' benefits are not included as income for RGI calculations and under the income limits:

- a Special Allowance received from Veterans Affairs Canada under the Veterans Affairs Disability Pension Program
- a benefit received from Veterans Affairs Canada under the Veterans Independence Program.

### **Special Allowances**

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Pension benefits paid under the Veterans Affairs Disability Pension Program are included as income in RGI calculations and under the income limits with the exception of Special Allowances awarded under this program. Special Allowances include:

- an additional monthly Exceptional Incapacity Allowance provided to pensioners who are exceptionally incapacitated in whole or in part by their pensioned disability
- an Attendance Allowance to assist with the personal care for a qualifying disabled pensioner who is also receiving a prisoner of war compensation.
- a Clothing Allowance for pensioners who are amputees, wear special appliances, require specially-made clothing or who suffer from a disability which causes them to soil their clothing excessively.

This income is to be verified per a payment stub or a written statement from Veterans Affairs Canada clearly indicating that it is a Special Allowance under the Veterans Affairs Disability Pension Program.

## **Veterans Independence Program**

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The Veterans Independence Program is a national home care program to help veterans remain healthy and independent in their own homes or communities. Qualifying veterans receive services according to their health needs which may include:

- grounds maintenance, like grass cutting and snow removal
- housekeeping meal preparation
- personal care services, like bathing, dressing, and eating
- access to nutrition services, like Meals-on-Wheels and Wheels-to-Meals
- health and support services provided by health professionals.

Some survivors of certain traditional war service Veterans may also be eligible for housekeeping and ground maintenance services.

Where a veteran or their survivor receives a payment to purchase a service under the Veterans Independence Program, this payment is not included as income for RGI calculations and under the income limits. These payments do not normally need to be verified unless there is a question about the source of the income.

## **Windfalls**

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Windfalls received by a member of the household are not included as income in RGI calculations or under the income limits. These are normally received in lump sums and may include, but are not limited to:

- lottery winnings
- bingo winnings
- draws, sweepstakes or raffle winnings
- gambling winnings from casinos, slot machines or other games of chance in other venues.

Housing providers should request verification of declared windfalls if the amount or source of the income is at question or if the windfall exceeds \$1,000.

## WSIB - B165 Payments

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Payments received under section 147 (14) of the *Workers' Compensation Act*, as it read on December 31, 1997, are excluded from RGI calculations and under the income limits.

This is a special supplement of up to \$200 per month (indexed annually) which can be paid to a recipient of a permanent partial disability pension as a result of a workplace injury incurred prior to January 2, 1990. It is payable for life.

This benefit is often identified on the WSIB payment stub as a Bill 165 payment, a B165 payment or a section 147(14) payment.

## Legislative References

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Ontario Regulation 298/01, s. 50(3)





## 11. Quarterly Reporting Reviews

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### Purpose

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To outline Quarterly Reporting Review procedures to average fluctuating earnings.

### Overview

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Quarterly Reporting Reviews are a means of both reporting income and determining a monthly average for fluctuating earnings. The intent is to average earnings resulting in stable and predictable RGI for the RGI tenant or co-op member.

RGI tenants or co-op members with regular but fluctuating earnings are required to report fluctuating earnings every three months by means of a Quarterly Reporting Statement (QRS) – until a reasonable annual average can be determined.

Once the RGI tenant or co-op member provides this information, the housing provider will:

- verify the income
- re-determine the average earnings
- recalculate RGI as required.

Quarterly Reporting Reviews do not replace the requirement for an Annual Review of RGI eligibility.

Once a reasonable annual average income can be determined, the RGI tenant or co-op member is no longer required to report income quarterly.

### Quarterly Reporting Requirements

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Only RGI tenants or co-op members with regular but fluctuating earnings will be required to complete Quarterly Reporting Reviews. This includes RGI tenants or co-op members with:

- employees who are paid at an hourly rate and who do not work the same number of hours from week to week
- salaried employees who receive frequent bonuses or gratuities.
- temporary employees that work regularly with the same or different employer.

Quarterly Reporting Reviews are not required for:

- RGI tenants or co-op members with only fixed income (e.g. Old Age Security)
- Ontario Works or ODSP RGI tenants or co-op members with non-benefit income that is well below threshold
- Seasonal employees that do not have earnings in the off season

Income for these RGI tenants or co-op members is normally reviewed annually. Fluctuating income from the previous year (e.g. seasonal earnings) may be averaged over the entire year to determine a monthly amount.

For example:

Robert is a school bus driver. He does not work two weeks at Christmas, one week in March and the months of July and August. He receives EI in the summer months.

Robert's earnings are about \$350-\$400 every two weeks. He sometimes picks up additional shifts. His EI in the summer is \$100 per week.

Robert's income should be averaged based on his Income Tax Notice of Assessment and his T-4 slips from the previous year. Robert's earned \$7,000 last year and received \$800 in EI benefits.

Based on Robert's income from the previous year, his average income is:

\$7,000 (earnings) plus \$800 (EI) = \$7,800 total income

\$7,800 divided 12 months = \$650 average monthly income

RGI is calculated against \$650 gross monthly income and is not adjusted when Robert applies for EI in the summer.

## Transition from Quarterly to Annual Reporting

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RGI tenants or co-op members with stable but fluctuating income are required to report income quarterly until a reasonable annual average income amount can be established. This can normally be determined after four quarterly reporting periods.

Once a reasonable annual average income is determined, the housing provider will average the income at the time of the annual review. Housing providers should ensure that the average income used reasonably reflects the earnings that the RGI tenant or co-op member expects to receive in the coming year.

Annual average earnings can be determined based on:

- T-4 slips and most recent Notice of Assessment
- year-to-date earnings from pay stubs
- a letter from the employer.

## Exceptions to Quarterly Reporting

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In some cases, it may not be reasonable to average earnings quarterly or to require an RGI tenant or co-op member to report income quarterly. This may occur when:

- an RGI tenant or co-op member has difficulty reporting quarterly

- an RGI tenant or co-op member's source of income changes frequently (e.g. from Ontario Works, to earnings, to EI) and there are frequent mid quarter changes
- other circumstances where Quarterly Reporting Reviews do not result in a reasonable average of earnings that provides for stable and predictable RGI for the RGI tenant or co-op member.

In these circumstances, housing providers have discretion to waive Quarterly Reporting Reviews and average income over a longer period of time. This decision and the reasons for it should be clearly documented on file.

## **Initial Monthly Estimate of Earnings**

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When an RGI tenant or co-op member first starts Quarterly Reporting Reviews, earnings are estimated for the calculation of RGI during the first quarter. The initial estimate may be based on:

- one or more previous paystubs
- a letter from the employer setting out average income
- T-4 slip or Notice of Assessment from the previous year.

This initial estimate should reflect the monthly earnings that are likely to be received by the RGI tenant or co-op member over the next three months.

For example:

Cara moves into an RGI unit on June 1. Her last two pay stubs show biweekly earnings of \$735 and \$210. Cara advises that she was off sick for a period of time resulting in the lower \$200 pay. Her pay is normally between \$700 and \$800 biweekly.

Cara's initial estimate is based on earnings of \$735 biweekly.

Gillian moves into an RGI unit on July 1. Her last three weekly pay stubs are as follows:

\$420 = \$300 + \$120 vacation pay

\$320

\$385 = \$335 + \$50 bonus as employee of the month

Exclude the vacation pay and bonus payment from the initial estimate as Gillian is unlikely to receive these again in the first quarterly reporting period.

Gillian's average earnings are based on weekly pays of \$300, \$320 and \$335 only.

Income used in determining the initial monthly estimate is normally verified prior to setting the estimate, but may be waived in circumstances where it would delay the increase in RGI.

For example:

Ross starts a new job on March 12. He receives two biweekly payments as follows:

\$550 - March 30

\$580 - April 13

Ross calls to report the new income to his housing provider on April 23.

As the RGI increase is effective May 1, the housing provider increases the RGI based on Ross's verbal statement rather than delaying the RGI change until his pay stubs are received.

## Quarterly Reporting Statement (QRS)

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An RGI tenant or co-op member on Quarterly Reporting Reviews must submit a Quarterly Reporting Statement (QRS) every three months (see Section 20 – Forms). The QRS is used to determine the average monthly income for the calculation of RGI.

The QRS shows the quarterly reporting period used to average income. The quarterly reporting period begins on the first day of the month and ends on the last day of the third month. RGI tenants or co-op members with fluctuating earnings must submit verification of actual income received during this period. Money that is earned or owing to the RGI tenant or co-op member is not reported on the QRS until it is received.

The QRS and verification of income are due on the first day of the month following the end of the quarterly reporting period. For example, an RGI tenant or co-op member will submit verification of income received between January 1 and March 31 on April 1.

The initial quarterly reporting period is normally the first three full months of earnings, but may be adjusted at the discretion of the provider.

For example, in the earlier scenario:

Ross started his new job on March 12 and reported the income to his housing provider on April 23.

The housing provider based Ross's initial estimate on his verbal statement that he received the following two biweekly payments:

\$550 - March 30

\$580 - April 13

The provider increased RGI effective May 1.

Now let's look at the first quarterly reporting period in the same example:

The provider sets the first quarterly reporting period as April 1 to June 30 (the first three month of full earnings).

Ross's QRS is due July 1. However, as the provider based the initial estimate on Ross's verbal statement only, the provider may want to verify all income received. If the provider chooses this approach:

The provider sets the first quarterly reporting period as March 1 to May 31

Ross's QRS is due July 1.

Either approach is reasonable.

If the RGI tenant or co-op member does not submit the QRS and income verification when it is due, the housing provider will notify the RGI tenant or co-op member that:

- the QRS is overdue
- failure to provide the QRS by the last day of the current month may result in ineligibility for RGI assistance.

If the QRS is not returned by the last day of the month, the housing provider may determine that the RGI tenant or co-op member is ineligible for RGI upon 90 days' notice. The decision of ineligibility may be reversed by the housing provider in the event that the QRS is received.

## Verification of Income

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Once the QRS is returned, the housing provider will verify the earnings that were declared. The housing provider is not required to re-verify or re-assess fixed income or assets at the time of the Quarterly Reporting Review. This will be done at the time of the Annual Review.

Acceptable forms of earnings verification include:

- pay stubs
- a signed letter from an employer that includes:
  - name of employer



- gross amount of each payment received for the period
- dates of payments
- total gross year-to-date payments received
- a contact name and telephone number

## Averaging Earnings

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Housing providers will average the earnings declared on the QRS.

The Region of Durham's RGI Tool determines average earnings as follows:

- total all payments received during the quarterly reporting period
- divide by the number of pay weeks in the period even if a payment was not received for every week
- multiply by 4.333

Housing providers that use the RGI Tool may enter all payments recorded on the QRS to determine the average income. If no income is received during a pay period, the provider will enter zero. The RGI will automatically determine the average earnings.

Housing providers that do not use the RGI Tool may use this same approach.

For example:

Derrek's quarterly reporting period is January 1 to March 31.

Derrek's biweekly earnings during this period were as follows:

\$ 200 – Jan 3	\$ 180 – Feb 12	\$ 235 – Mar 12
\$ 225 – Jan 17	\$ 198 – Feb 26	\$ 210 – Mar 26
\$ 180 – Jan 31		

Total earnings in quarterly reporting period are \$1,428.

Total pay weeks during this period is 14.

Average weekly earnings = \$1,428 divided by 14 weeks = \$102

Average monthly earnings = \$102 times 4.333 = \$441.97

Housing providers may also average earnings calculations by dividing the total earnings for the quarter by three months. This is a simpler calculation and results in less fluctuation of RGI between quarters.

For example:

In the above scenario, Derrek's total earnings for the quarterly reporting period are \$1,428.

Average monthly earnings = \$1,428 divided by 3 months = \$476

Housing providers that use the RGI Tool can still use this simpler calculation. To do this, the provider must enter:

- the total amount received in the quarter divided by 3
- a frequency amount of "monthly"
- the last date of the quarterly reporting period.

For example, in the above scenario, the housing provider would enter the information into the RGI Tool as follows:



## Mid Quarter Changes

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RGI tenants or co-op members with fluctuating earnings will not normally have their RGI re-calculated midway through a quarterly reporting period unless there has been:

- a change to a fixed income source
- a significant and permanent change to the fluctuating earnings part way through the quarterly reporting period.

Temporary shifts in the number of hours worked do not warrant adjustments outside of the regular Quarterly Reporting Reviews.

If RGI is adjusted mid-way through the quarterly reporting period because of a change to a fixed income source, the average earnings are not adjusted, and the housing provider is only required to verify the change to the fixed income amount.

For example:

Julia pays RGI of \$537. She has child support income of \$500 per month and average earnings of \$1,440 per month per her last QRS. Her next QRS is due August 1.

In June, Julia reports that she has stopped receiving support income.

Julia's RGI is decreased to \$387 effective July 1 based only on average earnings of \$1,440.

Julia's average earnings are not recalculated until her next QRS is received on August 1.

Earnings may be re-averaged midway through a quarterly reporting period if the RGI tenant or co-op member has had a significant and permanent change to their earnings. Significant and permanent changes may include:

- a new employment source that significantly changes the monthly average earnings
- cessation of employment

- a permanent move from part-time to full-time hours or vice versa that significantly changes the monthly average earnings.

Earnings are only re-averaged midway through a quarterly reporting period if the current average does not reasonably reflect future earnings. Providers must ensure that the mid quarter change continues to be reflected in the following quarter:

For example:

Carlos has average earnings of \$600 per month. His next QRS is due on October 1.

In August, Carlos advises that he has moved from part-time to full-time work. He will be earning \$800 biweekly.

Carlos' full-time average earnings are estimated to be:

$\$800 \text{ divided by } 2 = \$400 \text{ per week times } 4.333 = \$1,733.20$

This is a significant increase in earnings. RGI is increased effective October 1 based on average earnings of \$1,733.20.

When Carlos submits his QRS on October 1, it reflects both his new full-time earnings and his previous part time earnings as follows:

\$ 275 – Jul 9	\$ 850 – Aug 6	\$ 830 – Sep 10
\$ 350 – Jul 23	\$ 820 – Aug 20	\$ 860 – Sep 24

Carlos's first full pay at full-time hours was received August 5.

Re-average the earnings for the next quarter based only on the full-time hours.

Total full-time earnings from August 5 to Sep 30 are \$3,360

Average monthly earnings =  $\$3,360 \text{ divided by } 2 \text{ months} = \$1,680$

## Legislative References

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Ontario Regulation 298/01, s. 50(13)

## 12. Ontario Works Benefit Units

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### Purpose

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To detail the steps to calculate RGI assistance for all or part of a tenant of co-op member's household that has Ontario Works income.

### Overview

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Family units that receive social assistance from Ontario Works are called Ontario Works benefit units. RGI for Ontario Works benefit units is calculated according to set social assistance rent scales. These scales are set out in Tables 3 and 4 of Ontario Regulation 298/01.

- Table 3 applies to sole-support parent benefit units receiving Ontario works
- Table 4 applies to all other Ontario Works benefit units.

Each Ontario Works rent scale sets out the base RGI for the benefit unit, as well as a limit or threshold for the amount of non-benefit income that the benefit unit can receive at that rate of RGI.

- If the total non-benefit income for the benefit unit is less than or equal to the threshold, the RGI amount set out in the Ontario Works rent scale is the base RGI for the benefit unit.
- If the total non-benefit income for the benefit unit is greater than the threshold, the base RGI for the benefit unit is calculated at 30% of the adjusted family income (refer to Method 1 in Section 9 - Calculation of RGI – Overview).

A benefit unit may be all or only part of a family unit. If part of the family receives Ontario Works and part of the family does not, this section applies to that part of the family that receives Ontario Works.

## Defining the Benefit Unit

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A family unit may be a benefit unit in whole or in part. However, a benefit unit cannot consist of more than one family unit. An Ontario Works benefit unit can consist of:

- a single person
- a person and their spouse, common-law spouse or same-sex partner
- a person and their spouse, common-law spouse or same-sex partner, and their dependent children (regardless of age)
- a person and their dependent children (regardless of age)

“Children” over the age of 18 may still be included as part of their parents’ Ontario Works benefit unit. Ontario Works refers to these people as dependant adults.

The Ontario Works office defines the benefit unit. This means that a member of the family who is not included in the benefit unit by Ontario Works is also not part of the benefit unit for the calculation of RGI assistance. This may occur if a dependent is removed from the benefit unit because they have sufficient income to support themselves.

For example:

Charlie and Marie are a married couple with three children – Jill (age 16), Dianne (age 19) and Paul (age 21). The Ontario Works office confirms that Charlie receives social assistance for himself, his wife and his two children, Jill and Paul. Dianne is employed.

Dianne is not part of the Ontario Works benefit unit, and her employment income is not considered non-benefit income.

This household consists of a benefit unit of four and a family unit of one (Dianne).

In some circumstances the Ontario Works office may deem a member of a benefit unit to be “non-contributing” for non-compliance with employment participation requirements. When this happens, the Ontario Works payment is reduced to exclude the non-contributing member from the

calculation. However, RGI is not affected because the member is still considered a part of the benefit unit.

For example:

Monica and Ronald are a married couple with two children. There only source of income is Ontario Works of \$707 per month.

This is a benefit unit of four.

Ronald is determined to be non-contributing because he is not looking for work. The family's Ontario Works payment is reduced to \$484 per month.

This continues to be a benefit unit of four. RGI does not change.

## Non-Benefit Income

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Non-benefit income is compared to the threshold amounts in the Ontario Works social assistance scales to determine whether or not these scales apply.

Non-benefit income includes all income received by all members of the benefit unit except for:

- Ontario Works or ODSP income
- income that would otherwise be excluded from RGI calculations under Method 1 (see Section 10 – Excluded Income)
- imputed income for non-interest producing assets or transferred assets.

If a member of the Ontario Works benefit unit also pays court ordered support, this amount is deducted from that person's gross income when determining total non-benefit income.

Earnings exemptions and the exemption for the first \$75 of dependant income do not apply to the calculation of non-benefit income.



## Table 3 - Single Parent Benefit Units

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If the Ontario Works Benefit unit consists of a single parent with one or more children (regardless of age), use Table 3 in Ontario Regulation 298/01 to determine the base RGI for the benefit unit.

Table 3 consists of three columns:

**Column 1** sets out the size of the benefit unit

**Column 2** sets out the base RGI for the benefit unit

**Column 3** set outs the maximum or threshold gross non-benefit income that the benefit unit can have.

**Table 3 – Ontario Regulation 298/01**

<b>COLUMN 1</b> <b>Benefit unit size</b> <b>(number of</b> <b>individuals)</b>	<b>COLUMN 2</b> <b>Rent attributable</b> <b>to benefit unit</b> <b>(monthly)</b>	<b>COLUMN 3</b> <b>Non-benefit</b> <b>income limit</b> <b>(monthly)</b>
2	\$ 191	\$ 791
3	226	907
4	269	1,051
5	311	1,191
6	353	1,331
7	396	1,474
8	438	1,614
9	480	1,754
10	523	1,897
11	565	2,037
12 or more	607	2,117

To use Table 3:

- Determine the size of the benefit unit
- Determine the amount of non-benefit income
- Select the benefit unit size from Column 1
- Compare the total non-benefit income for members of the benefit unit to the amount in Column 3.

If the total non-benefit income is less than or equal to the amount in Column 3, the base RGI for the benefit unit is the corresponding amount in Column 2

For example:

Denise is a single mother who receives Ontario Works for herself and her two young children. She receives WSIB of \$400 gross per month and child support of \$200 per month.

Total monthly non-benefit income is:

\$400 WSIB + \$200 support = \$600

Per Table 3:

Column 1	Size of benefit unit	= 3
Column 2	Base RGI	= \$226
Column 3	Threshold	= \$907

As the total non-benefit income (\$600) is less than the threshold amount set out in Column 3 (\$907), the base RGI is the amount set out in Column 2.

**The base RGI for the benefit unit is \$226.**

If the total non-benefit income is greater than the amount in Column 3, the base RGI for the benefit unit is calculated at 30% of the adjusted family income for the benefit unit. The Ontario Works income is not included in the calculation of the base RGI.

In other words, the base RGI is calculated, excluding the Ontario Works income in the same manner as a single parent that is not in receipt of Ontario Works.

For example:

Donna is a single mother with one young child, who receives Ontario Works, child and spousal support. Her spousal support is \$300 per month and her child support is \$500 per month.

Total monthly non-benefit income is:

$\$300 \text{ spousal support} + \$500 \text{ child support} = \$800$

Per Table 3:

Column 1	Size of benefit unit	= 2
Column 2	Base RGI	= \$191
Column 3	Threshold	= \$797

As the total non-benefit income (\$800) is greater than the threshold amount set out in Column 3 (\$797), the amount set out in Column 2 is not used as the base RGI.

The base RGI is calculated at 30% of the adjusted family income of \$800.

**The base RGI for the benefit unit is \$240.**

If the benefit unit has earnings or other earned income, the earnings exemption (refer to Earnings Exemptions in Section 9 – Calculation of RGI – Overview) applies only if the base RGI is calculated at 30 % of the adjusted family income. It does not apply to the determination of non-benefit income as it compares to the threshold amount in Column 3.

For example:

Clara is a single mother with three children. She is employed and also receives Ontario Works. Her earnings from employment total \$1,100 per month.

Monthly non-benefit income = \$1,100

Earnings exemption of \$150 is not applied to determination of non-benefit income.

Per Table 3:

Column 1                      Size of benefit unit      = 4

Column 2                      Base RGI                      = \$269

Column 3                      Threshold                      = \$1,051

As the total non-benefit income (\$1,100) is greater than the threshold amount set out in Column 3 (\$1,051), the amount set out in Column 2 is not used as the base RGI.

The base RGI is calculated at 30% of the adjusted family income. Adjusted family income is calculated at:

\$1,100 - \$150 (earnings exemption) = \$950.

**The base RGI for the benefit unit is \$285 (30% of \$950).**

## Table 4 - Other Ontario Works Benefit Units

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If the Ontario Works Benefit unit is not a single parent with one or more children, use Table 4 in Ontario Regulation 298/01 to determine the base RGI for the benefit unit. Table 4 applies specifically to the following types of Ontario works benefit units:

- a single person
- a person and their spouse, common-law spouse or same-sex partner
- a person and their spouse, common-law spouse or same-sex partner, and their dependent children (regardless of age).

Table 4 consists of three columns:

**Column 1** sets out the size of the benefit unit

**Column 2** sets out the base RGI for the benefit unit

**Column 3** set outs the maximum or threshold gross non-benefit income that the benefit unit can have.

**Table 4 – Ontario Regulation 298/01**

<b>COLUMN 1</b> <b>Benefit unit size</b> <b>(number of</b> <b>individuals)</b>	<b>COLUMN 2</b> <b>Rent attributable</b> <b>to benefit unit</b> <b>(monthly)</b>	<b>COLUMN 3</b> <b>Non-benefit</b> <b>income limit</b> <b>(monthly)</b>
1	\$ 85	\$ 360
2	175	737
3	212	861
4	254	1,001
5	296	1,141
6	339	1,284
7	381	1,424
8	423	1,564
9	466	1,707
10	508	1,847
11	550	1,987
12 or more	593	2,131

To use Table 4:

- Determine the size of the benefit unit
- Determine the amount of non-benefit income
- Select the benefit unit size from Column 1
- Compare the total non-benefit income for members of the benefit unit to the amount in Column 3.

If the total non-benefit income is less than or equal to the amount in Column 3, the base RGI for the benefit unit is the corresponding amount in Column 2

For example:

Bob receives Ontario Works as a single person and also has casual earnings of \$350 per month.

Monthly non-benefit income = \$350

Per Table 4:

Column 1                      Size of benefit unit      = 1

Column 2                      Base RGI                      = \$85

Column 3                      Threshold                      = \$360

As the total non-benefit income (\$350) is less than the threshold amount set out in Column 3 (\$360), the base RGI is the amount set out in Column 2.

**The base RGI for the benefit unit is \$85.**

Andrew and Linda receive Ontario Works as a family for themselves and their two young children. Andrew receives Employment Insurance (EI) benefits totaling \$615 per month, and Linda has earnings from babysitting of \$345 per month.

Total monthly non-benefit income is:

\$615 EI (Andrew) + \$345 earnings (Linda) = \$960

Per Table 4:

Column 1	Size of benefit unit	= 4
Column 2	Base RGI	= \$254
Column 3	Threshold	= \$1,001

As the total non-benefit income (\$960) is less than the threshold amount set out in Column 3 (\$1,001), the base RGI is the amount set out in Column 2.

**The base RGI for the benefit unit is \$254.**

If the total non-benefit income is greater than the amount in Column 3, the base RGI for the benefit unit is calculated at 30% of the adjusted family income for the benefit unit. The Ontario Works income is not included in the calculation of the base RGI.

In other words, the base RGI is calculated, excluding the Ontario Works income, in the same manner as a family unit that is not in receipt of Ontario Works.

For example:

Rob is a single person receiving Ontario Works and a small private early retirement pension of \$410 per month.

Monthly non-benefit income = \$410

Per Table 4:

Column 1	Size of benefit unit	= 1
Column 2	Base RGI	= \$85
Column 3	Threshold	= \$360

As the total non-benefit income (\$410) is greater than the threshold amount set out in Column 3 (\$360), the amount set out in Column 2 is not used as the base RGI.

The base RGI is calculated at 30% of the adjusted family income of \$410.

**The base RGI for the benefit unit is \$123.**

Dave and Janet are a married couple with no children who receive Ontario Works. Both people also receive income from the Canada Pension Plan (CPP); Dave receives \$465 per month, and Janet receives \$425 per month.

Total monthly non-benefit income is:

$\$465 \text{ (Dave's CPP)} + \$425 \text{ (Janet's CPP)} = \$890$

Per Table 4:

Column 1	Size of benefit unit	= 2
Column 2	Base RGI	= \$175
Column 3	Threshold	= \$737

As the total non-benefit income (\$890) is greater than the threshold amount set out in Column 3 (\$737), the amount set out in Column 2 is not used as the base RGI.

The base RGI is calculated at 30% of the adjusted family income of \$890.

**The base RGI for the benefit unit is \$267.**

If the benefit unit has earnings or other earned income, the earnings exemption (refer to Earnings Exemptions in Section 9 – Calculation of RGI – Overview) applies only if the base RGI is calculated at 30 % of the adjusted family income. It does not apply to the determination of non-benefit income as it compares to the threshold amount in Column 3.



For example:

Jean and James have three children and receive Ontario Works as a family. James is also employed full-time and earns \$1,200 per month. Jean has no other income.

Monthly non-benefit income = \$1,200

Earnings exemption of \$150 is not applied to determination of non-benefit income.

Per Table 4:

Column 1	Size of benefit unit	= 5
Column 2	Base RGI	= \$296
Column 3	Threshold	= \$1,141

As the total non-benefit income (\$1,200) is greater than the threshold amount set out in Column 3 (\$1,141), the amount set out in Column 2 is not used as the base RGI.

The base RGI is calculated at 30% of the adjusted family income. Adjusted family income is calculated at:

\$1,200 - \$150 (earnings exemption) = \$1,050.

**The base RGI for the benefit unit is \$315 (30% of \$1,050).**

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## Temporary Care Assistance

The Ontario Works social assistance rent scales are used only for benefit units that receive regular Ontario Works benefits.

Temporary Care Assistance is not a regular Ontario Works benefit. It is a special benefit paid to an adult who is providing temporary care for a child who is not their dependant, and for whom they have no legal obligation to provide support. Temporary care assistance is for the sole benefit of the child and does not consider the income or assets of the adult providing

temporary care – as is the case with regular Ontario Works benefits. Additionally, it does not include a shelter allowance.

Temporary care assistance is not included as income in RGI calculations, and the adult providing temporary care and the child in temporary care are not considered a benefit unit. The Ontario Works social assistance scales do not apply for this type of benefit.

Where an adult providing temporary care also receives Ontario Works in their own right, the Temporary Care Assistance will be issued as a separate payment. The temporary care child is not included as part of the adult's Ontario Works benefit unit for the calculation of RGI.

For example:

Peter and Beverly receive Ontario Works as a married couple. They are also caring temporarily for their six year old niece while her mother is in a residential rehabilitation facility. Ontario works pays the couple an additional \$316 for the care of this child.

Monthly non-benefit income = \$0

The Temporary Care Assistance of \$316 is not considered non-benefit income.

Per Table 4:

Column 1                      Size of benefit unit      = 2  
The niece is not part of the benefit unit.

Column 2                      Base RGI                      = \$175

Column 3                      Threshold                      = \$737

As the total non-benefit income (\$0) is less than the threshold amount set out in Column 3 (\$737), the base RGI for the benefit unit is the amount set out in Column 2 (\$175).

There is no RGI charged against the Temporary Care Assistance amount of \$316.

**The base RGI for the household is \$175.**

Greta is a single senior who receives Old Age Security (OAS) and the Guaranteed Income Supplement (GIS) totaling \$1,120 per month. She also receives \$316 Temporary Care Assistance from Ontario Works because she is caring for her 10 year old grandson while his father is in jail.

The base RGI is calculated at 30% of Greta's OAS and GIS income only:

30% of \$1,120 = \$336

There is no RGI charged against the Temporary Care Assistance amount of \$316, and the Ontario Works social assistance scales do not apply as Greta and her grandson are not considered an Ontario Works benefit unit.

**The base RGI for the household is \$336.**

## Financially Dependent Parents

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The Ontario Works social assistance rent scales are used only for benefit units that receive regular Ontario Works benefits.

Children under the age of 18 who live with their parent(s) do not qualify for Ontario Works in their own right and are included in their parents' benefit unit.

If the dependent has a child of their own, they may receive a special benefit from Ontario Works for the support of the dependent child. These "financially dependent parents" are not entitled to a shelter allowance as part of the special benefit they receive on behalf of their child.

Ontario Works payments paid to financially dependent parents are not included as income in RGI calculations or for the determination of non-benefit income, and the financially dependent parent and their child are not considered a benefit unit in their own right.

For example:

Mavis receives Ontario Works for herself and her 17 year old daughter, Jenny. Mavis has no other income.

Jenny has a 6 month old son. Jenny receives Ontario Works as a financially dependent parent for her son only. The amount of her payment is \$334, and there is no shelter allowance included.

Monthly non-benefit income = \$0

Jenny's Ontario Works income of \$334 is not considered non-benefit income.

Per Table 3:

Column 1                      Size of benefit unit       = 2

Jenny's son is not part of the benefit unit.

Column 2                      Base RGI                               = \$191

Column 3                      Threshold                               = \$791

As the total non-benefit income (\$0) is less than the threshold amount set out in Column 3 (\$791), the base RGI for the benefit unit is the amount set out in Column 2 (\$191).

There is no RGI charged against the Ontario Works amount of \$334 that Jenny receives on behalf of her son.

The base RGI for the household is \$191.

## Ontario Works Verification Requirements

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Housing providers must verify that the benefit unit is in receipt of Ontario Works as well as the number of people included in the benefit unit. This may be set out in:

- the Ontario Works monthly Statement of Assistance
- a letter from the Ontario Works office, noting the names of all benefit members.

Normally the tenant or co-op member will request the letter from the Ontario Works office. If the housing provider requests the letter from the Ontario Works office directly, the *Consent to Disclosure of Information and Documents* form (see Section 20 - Forms) must be attached to the request. Providers will normally request a letter directly from the Ontario Works office only with the permission of the tenant or co-op member.

Housing providers who are having difficulty verifying or confirming the members of the Ontario Works benefit unit may also contact the Housing Services Division for assistance.

## Legislative References

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Ontario Regulation 298/01, s. 47, 48 and 50

## 13. ODSP Benefit Units

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### Purpose

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To detail the steps to calculate RGI assistance for all or part of a household that has Ontario Disability Support Program (ODSP) income.

### Overview

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Family units that receive social assistance from the Ontario Disability Support Program (ODSP) are called ODSP benefit units. RGI for ODSP benefit units is calculated according to a set social assistance rent scale. This scale is set out in Table 5 of Ontario Regulation 298/01.

The ODSP rent scale sets out the base RGI for the benefit unit, as well as a limit or threshold for the amount of non-benefit income that the benefit unit can receive at that rate of RGI.

If the total non-benefit income for the benefit unit is less than or equal to the threshold, the RGI amount set out in the ODSP rent scale is the base RGI for the benefit unit.

If the total non-benefit income for the benefit unit is greater than the threshold, the base RGI for the benefit unit is calculated at 30% of the adjusted family income (refer to Method 1 in Section 9 – Calculation of RGI– Overview).

A benefit unit may be all or only part of a family unit. If part of the family receives ODSP and part of the family does not, this section applies to that part of the family that receives ODSP.

### Defining the Benefit Unit

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ODSP is a social assistance program intended to support disabled people with disabilities and their families. Recipients of ODSP are referred to as benefit units.

A family unit may be a benefit unit in whole or in part. However, a benefit unit cannot consist of more than one family unit. An ODSP benefit unit can consist of:

- a single disabled person
- a disabled person and their spouse, common-law spouse or same-sex partner (who may or may not also be disabled)
- a person and their spouse, common-law spouse or same-sex partner (who may or may not also be disabled), and their dependent children (regardless of age)
- a disabled person and their dependent children (regardless of age)

“Children” over the age of 18 may still be included as part of their parents’ ODSP benefit unit. ODSP refers to these people as dependant adults.

The ODSP office defines the benefit unit. This means that a member of the family who is not included in the benefit unit by ODSP is also not part of the benefit unit for the calculation of RGI assistance. This may occur if a dependent is removed from the benefit unit because they have sufficient income to support themselves, or because they are eligible to receive Ontario Works or ODSP in their own right.

For example:

Bill lives with his 21 year old son, Tom. Bill is disabled and received ODSP as a single person. Tom is unemployed and receiving Ontario Works as a single person.

This household consists of an ODSP benefit unit of one (Bill) and an Ontario Works benefit unit of one (Tom).

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## Non-Benefit Income

Non-benefit income is compared to the threshold amounts in the ODSP social assistance scale to determine whether or not the scale applies.

Non-benefit income includes all income received by all members of the benefit unit except for:

- Ontario Works or ODSP income
- income that would otherwise be excluded from RGI calculations under Method 1 (see Section 10 – Excluded Income)
- imputed income for non-interest producing assets or transferred assets.

If a member of the ODSP benefit unit also pays court ordered support, this amount is deducted from that person's gross income when determining total non-benefit income.

Earnings exemptions and the exemption for the first \$75 of dependant income do not apply to the calculation of non-benefit income.

## ODSP Social Assistance Scales

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Table 5 of Ontario Regulation 298/01 is used to determine the base RGI for an ODSP benefit unit.

Table 5 consists of three columns:

- **Column 1** sets out the size of the benefit unit
- **Column 2** sets out the base RGI for the benefit unit
- **Column 3** set outs the maximum or threshold gross non-benefit income that the benefit unit can have.



**Table 5 – Ontario Regulation 298/01**

<b>COLUMN 1</b> <b>Benefit unit size</b> <b>(number of</b> <b>individuals)</b>	<b>COLUMN 2</b> <b>Rent attributable</b> <b>to benefit unit</b> <b>(monthly)</b>	<b>COLUMN 3</b> <b>Non-benefit</b> <b>income limit</b> <b>(monthly)</b>
1	\$ 109	\$ 440
2	199	817
3	236	941
4	278	1,081
5	321	1,224
6	363	1,364
7	405	1,504
8	448	1,647
9	490	1,787
10	532	1,927
11	575	2,071
12 or more	617	2,211

To use Table 5:

- Determine the size of the benefit unit
- Determine the amount of non-benefit income
- Select the benefit unit size from Column 1
- Compare the total non-benefit income for members of the benefit unit to the amount in Column 3.

If the total non-benefit income is less than or equal to the amount in Column 3, the base RGI for the benefit unit is the corresponding amount in Column 2

For example:

Kelly and Mark are a married couple with two children under the age of six. The family receives ODSP due to Mark's disability. Kelly does home daycare and earns \$200 per week. They have no other income.

Total monthly non-benefit income is:

\$200 weekly earnings times 4.333 = \$866.60

Per Table 5:

Column 1	Size of benefit unit	= 4
Column 2	Base RGI	= \$278
Column 3	Threshold	= \$1,081

As the total monthly non-benefit income (\$866.60) is less than the threshold amount set out in Column 3 (\$1,081), the base RGI is the amount set out in Column 2.

**The base RGI for the benefit unit is \$278.**

If the total non-benefit income is greater than the amount in Column 3, the base RGI for the benefit unit is calculated at 30% of the adjusted family income for the benefit unit. The ODSP income is not included in the calculation of the base RGI.

In other words, the base RGI is calculated, excluding the ODSP income in the same manner as a tenant or co-op member that is not in receipt of ODSP.

For example:

Gina is a single mother with one young child. She receives ODSP due to her disability and child support from her child's father of \$850 per month.

Total monthly non-benefit income is:

\$850 child support

Per Table 5:

Column 1	Size of benefit unit	= 2
Column 2	Base RGI	= \$199
Column 3	Threshold	= \$817

As the total non-benefit income (\$850) is greater than the threshold amount set out in Column 3 (\$817), the amount set out in Column 2 is not used as the base RGI.

The base RGI is calculated at 30% of the adjusted family income of \$850.

**The base RGI for the benefit unit is \$255.**

If the benefit unit has earnings or other earned income, the earnings exemption (refer to Earnings Exemptions in Section 9 – Calculation of RGI – Overview) applies only if the base RGI is calculated at 30 % of the adjusted family income. It does not apply to the determination of non-benefit income as it compares to the threshold amount in Column 3.

For example:

Alan is a disabled person who works part time. He receives ODSP and has average earnings of \$500 per month.

Monthly non-benefit income = \$500 earnings

Earnings exemption of \$75 is not applied to determination of non-benefit income.

Per Table 5:

Column 1	Size of benefit unit	= 1
Column 2	Base RGI	= \$109
Column 3	Threshold	= \$440

As the total non-benefit income (\$500) is greater than the threshold amount set out in Column 3 (\$440), the amount set out in Column 2 is not used as the base RGI.

The base RGI is calculated at 30% of the adjusted family income. Adjusted family income is calculated at:

\$500 - \$75 (employment deduction) = \$425.

**The base RGI for the benefit unit is \$128 (30% of \$425).**

## ODSP Benefit Units with CPP-Disability or OAS Allowance

The *Housing Services Act* sets out a separate test for ODSP benefits units that also receive Canada Pension Plan disability benefits (CPP-d) or the Old Age Security (OAS) Allowance. This second test compares these amounts to the ODSP basic needs amount for the benefit unit.

This second test is not conducted in the Region of Durham. CPP-d and OAS Allowance income is treated in the same manner as other types of non-benefit income.

Housing providers that use the Region of Durham's RGI Tool should not enter the CPP disability or OAS Allowance amounts in the designated areas under Regular Income. Instead, CPP disability and OAS Allowance income should now be entered under CPP and OAS only as follows:

Regular Income				
Date	CPP (Monthly)	OAS (Monthly)	Sp Allow (Monthly)	CPP Dis. (Monthly)
01-Jan-14	300.00	800.00		
Month Tax				
# of pays	1	1	0	0
	300.00	800.00		

This will ensure that RGI is calculated in accordance with this section.

Additionally, the ODSP basic needs amount no longer needs to be entered in the RGI Tool.

## Minimum Health Benefit

---

Some ODSP benefit units may receive only an extended health benefit from ODSP. These benefit units may not receive a monthly ODSP payment, but do receive a monthly drug card as well as periodic assistance for certain medical or disability related items, supplies and other costs.

These benefit units are treated in the same manner as ODSP benefit units receiving a monthly ODSP payment. Where applicable, the ODSP basic needs amount can be determined in accordance with the table set out above.

## Assistance for Children with Severe Disabilities (ACSD)

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Assistance for Children with Severe Disabilities (ACSD) is an ODSP benefit that is paid to the parents of a disabled child to assist them with disability related expenses and respite costs. The parents may or may not be in receipt of social assistance themselves.

Families receiving only ACSD, but not regular ODSP benefits or the extended health benefit, are not considered an ODSP benefit.

ACSD payments are always excluded from RGI calculations.

## ODSP Verification Requirements

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Housing providers are required to verify that the benefit unit is in receipt of ODSP as well as the number of people included in the benefit unit. This may be set out in:

- the ODSP monthly Statement of Assistance
- a letter from the ODSP office, noting the names of all benefit members.

Normally the tenant or co-op member will request the letter from the ODSP office. If the housing provider requests the letter from the Ontario Works office directly, the *Consent to Disclosure of Information and Documents* form (see Section 20 - Forms) must be attached to the request. Providers will normally request a letter directly from the ODSP office only with the permission of the tenant or co-op member.

Housing providers who are having difficulty verifying or confirming the members of the ODSP benefit unit may also contact the Housing Services Division for assistance.

## **Legislative References**

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Ontario Regulation 298/01, s. 47, 48 and 50



## 14. Utility Adjustments

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### Purpose

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To outline the utility allowances and extra charges that are included in the calculation of RGI assistance.

### Overview

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RGI is intended to reflect the cost of “fully-serviced accommodation.” This means that the housing provider pays the costs for heat and hot water and also provides a refrigerator and a stove in the unit. Tenants or co-op members are expected to pay for their own electricity, with the exception of electric heat. Where these are not provided or where services are provided in addition to these, the base RGI is adjusted for utilities.

Utility adjustments are based on set scales that are determined according to the size of the unit, the utilities and services provided by the housing provider, and additional charges paid by the tenant or co-op member. These scales are set out in Tables 6 to 10 of Ontario Regulation 298/01 as follows:

- **Table 6** details extra charges that are added to the base RGI where the housing provider pays the cost for additional services such as laundry facilities or electricity other than that used for heat or hot water.
- **Table 7** details allowances that are subtracted from the base RGI where the tenant or co-op member is required to pay for water, hot water or provide their own fridge or stove.
- **Tables 8, 9 and 10** detail allowances for heat that are subtracted from the base RGI where the tenant or co-op member is required to pay for their own heating costs.

Any combination of allowances and extra charges may be applied to an RGI unit. These are added together to determine the set utility adjustment for the unit.



Once the utility adjustment is determined for a unit, it will remain fixed for this unit unless the services change or the utility adjustment tables are modified by the Ministry of Municipal Affairs and Housing (MMAH).

## Standard Extra Charges

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“Fully serviced accommodation” means that the housing provider pays the costs for heat and hot water and also provides a refrigerator and a stove in the unit. Tenants or co-op members are expected to pay for their own electricity, with the exception of electric heat.

Standard extra charges are added to the base RGI of a household if the housing provider is also responsible for the costs of any of the following additional services or utilities:

- electricity for the unit (excluding electric heat)
- power for cooking facilities in the unit
- power to operate a clothes dryer in the unit.
- a washing machine in the unit (not coin-operated)
- a clothes dryer in the unit (not coin-operated)
- laundry facilities in the housing project that are not coin-operated.

Standard extra charges for additional services and utilities that are paid for by the housing provider are determined according to Table 6 in Ontario Regulation 298/01 as set out on the following page:

**Table 6**  
**Standard Extra Charges**

<b>Column 1 Item</b>	<b>Column 2 Service or Utility</b>	<b>Column 3 Hostel bed or bachelor or one- bedroom unit</b>	<b>Column 4 Two- bedroom unit</b>	<b>Column 5 Three- bedroom unit</b>	<b>Column 6 Four or more bedroom unit</b>
1.	Electricity, other than, <ul style="list-style-type: none"> <li>▪ electricity provided for heating the unit,</li> <li>▪ electricity provided for heating the water supplied to the unit,</li> <li>▪ electricity provided as power for cooking facilities in the unit, or</li> <li>▪ electricity provided as power to operate a clothes dryer in the unit.</li> </ul>	\$24	\$34	\$39	\$41
2.	Power for cooking facilities in the unit.	6	9	11	12
3.	Laundry facilities, other than coin-operated laundry facilities, in the housing project.	6	9	11	13
4.	Power to operate a clothes dryer in the unit.	6	9	11	13
5.	A washing machine, other than a coin-operated washing machine, in the unit.	2	2	2	2
6.	A clothes dryer, other than a coin-operated clothes dryer, in the unit.	2	2	2	2

Use Table 6 to determine the applicable extra charge for the unit for each additional service or utility outlined in Column 2 that is paid for by the housing provider. Charges for each service or utility vary according to the size of the unit as outlined in Columns 3 to 6 of Table 6.

For example:

A housing provider pays the utilities and appliances for a three-bedroom unit, including heat, electricity, water, hot water, stove and refrigerator. The housing provider also provides a washer and dryer in the unit for the tenant or co-op member's use.	
The extra charge, which is <u>added</u> to the base RGI for the household, is based on a three-bedroom unit and services provided as follows:	
Electricity	\$ 39
Cooking power	\$ 11
Clothes drying power	\$ 11
Washer	\$ 2
Dryer	\$ 2
<hr/>	
<b>Total extra charge for the unit</b>	<b>\$ 65</b>

## Allowances for Water, Hot Water and Appliances

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“Fully serviced accommodation” means that the housing provider pays the costs for heat and hot water and also provides a refrigerator and a stove in the unit. Tenants or co-op members are expected to pay for their own electricity, with the exception of electric heat.

An allowance is subtracted from the base RGI of the household if the tenant or co-op member is expected to pay for the costs of any of the following additional services or appliances:

- fuel (i.e. oil, gas or electricity) used to operate a hot water heater
- water
- refrigerator
- stove.

Where the tenant or co-op member is responsible for the costs of fuel to operate a hot water heater, the allowance that is subtracted from the base RGI is dependent on the type of fuel (i.e. oil, gas or electricity) and whether or not the tenant or co-op member is also required to pay a rental fee for the hot water heater. If the housing provider does not own the hot water heater, the tenant or co-op member is paying a rental fee for it.

Allowances for water, hot water and appliances that are supplied by the tenant or co-op member are determined according to Table 7 in Ontario Regulation 298/01 as set out on the following page:

**Table 7**  
**Allowances for Water and Appliances**

<b>Column 1 Item</b>	<b>Column 2 Service or Utility</b>	<b>Column 3 Hostel bed or bachelor or one- bedroom unit</b>	<b>Column 4 Two- bedroom unit</b>	<b>Column 5 Three- bedroom unit</b>	<b>Column 6 Four or more bedroom unit</b>
1.	Oil used to operate a hot water heater, where the household does not pay a rental fee for the heater	\$28	\$34	\$39	\$47
2.	Oil used to operate a hot water heater, where the household pays a rental fee for the heater	34	41	46	56
3.	Gas used to operate a hot water heater, where the household does not pay a rental fee for the heater	15	21	26	32
4.	Gas used to operate a hot water heater, where the household pays a rental fee for the heater	29	40	47	54
5.	Electricity used to operate a hot water heater, where the household does not pay a rental fee for the heater	23	28	32	39
6.	Electricity used to operate a hot water heater, where the household pays a rental fee for the heater	28	34	38	46
7.	Water, other than hot water	8	15	18	20
8.	Refrigerator	2	2	2	2
9.	Stove	2	2	2	2

Use Table 7 to determine the applicable allowance for the unit for each item outlined in Column 2 that is paid for by the tenant or co-op member. Charges for each service or utility vary according to the size of the unit as outlined in Columns 3 to 6 of Table 7.

For example:

John lives in a 3-bedroom unit and pays directly for water and gas, including gas to heat the hot water. He pays a rental fee for the hot water heater and owns its own refrigerator and stove.

The allowance for water and appliances, which is subtracted from the base RGI, is based on a 3-bedroom unit and is calculated as follows:

Gas for hot water, including a fee for a rental hot water heater	\$ 47
Water	\$ 18
Refrigerator	\$ 2
Stove	\$ 2

<b>Total allowance for the unit</b>	<b>\$ 69</b>
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Note: This example does not calculate the allowance for gas heat, which will be outlined in the next subsection, Allowances for Heat.

## Allowances for Heat

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Fully serviced accommodation means that the housing provider pays the full costs to heat the unit. If the tenant or co-op member pays their own heating costs directly, the applicable heating allowance is subtracted from the base RGI for the tenant or co-op member.

Heating allowances are set out in Tables 8, 9 and 10 of Ontario a Regulation 298/01 and are based on the:

- type of fuel used to heat the unit
- area of the province in which the tenant or co-op member lives
- size and type of the unit.

Table 8 sets out the heating allowances for oil heat, Table 9 for gas heat, and Table 10 for electric heat, as follows:

**Table 8**  
**Heat Allowance — Oil**

<b>Column 1</b> <b>Item</b>	<b>Column 2</b> <b>Type of Unit</b>	<b>Column 3</b> <b>Southern</b> <b>Region of</b> <b>Ontario</b>	<b>Column 4</b> <b>Central</b> <b>Region of</b> <b>Ontario</b>	<b>Column 5</b> <b>North-</b> <b>eastern</b> <b>Region of</b> <b>Ontario</b>	<b>Column 6</b> <b>Northern</b> <b>Region of</b> <b>Ontario</b>
1.	Apartment — Bachelor or one bedroom	\$49	\$55	\$56	\$67
2.	Apartment — Two bedrooms	51	57	58	72
3.	Apartment — Three or more bedrooms	64	69	73	90
4.	Row house	68	73	79	102
5.	Semi-detached house	92	97	107	135
6.	Single detached house	136	147	149	182

**Table 9**  
**Heat Allowance — Gas**

<b>Column 1 Item</b>	<b>Column 2 Type of Unit</b>	<b>Column 3 Southern Region of Ontario</b>	<b>Column 4 Central Region of Ontario</b>	<b>Column 5 North- eastern Region of Ontario</b>	<b>Column 6 Northern Region of Ontario</b>
1.	Apartment — Bachelor or one bedroom	\$21	\$31	\$32	\$40
2.	Apartment — Two bedrooms	24	32	33	43
3.	Apartment — Three or more bedrooms	25	35	39	49
4.	Row house	28	37	42	56
5.	Semi-detached house	39	49	56	76
6.	Single detached house	56	74	79	100

**Table 10**  
**Heat Allowance — Electricity**

<b>Column 1 Item</b>	<b>Column 2 Type of Unit</b>	<b>Column 3 Southern Region of Ontario</b>	<b>Column 4 Central Region of Ontario</b>	<b>Column 5 North- eastern Region of Ontario</b>	<b>Column 6 Northern Region of Ontario</b>
1.	Apartment — Bachelor or one bedroom	\$40	\$45	\$46	\$55
2.	Apartment — Two bedrooms	42	47	48	59
3.	Apartment — Three or more bedrooms	53	57	60	74
4.	Row house	56	60	65	84
5.	Semi-detached house	76	80	88	111



6.	Single detached house	112	121	123	150
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Durham Region is located in the Central Region of Ontario, so the amounts set out in Column 4 of the above tables are used to determine the heating allowance.

Determine the type of fuel (oil, gas or electricity) used to heat the unit, and then use one of Tables 8, 9 or 10 to determine the applicable allowance for the type and size of unit set out in Column 2.

For example:

Joanna lives in a 3-bedroom townhouse in Oshawa. She pays for all utilities including electric baseboard heating for the unit.

The heating allowance that is subtracted from the base RGI is \$60. This is the amount set out in Column 4 (Central Region) for a row house.

## Utility Adjustment Examples

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Once all of the standard extra charges, allowances for water, hot water and appliances, and allowances for heat are determined, this amount is applied to the base RGI for the unit. This net amount may be either added to or subtracted from the base RGI for the unit.

For example:

Eleanor lives in a semi-detached four-bedroom house and pays the costs of all utilities including electricity, water and gas for heat and hot water. The housing provider owns the hot water heater in the house, and also provides a fridge, stove, washer and dryer.

The base RGI is \$480.

The utility adjustment for the unit is:

Washer	\$ 2	per Table 6
Dryer	\$ 2	per Table 6
Water	- \$ 20	per Table 7
Gas for hot water (no hot water heater rental fee)	- \$ 32	per Table 7
Gas to heat house	- \$ 49	per Table 9
<hr/>		
<b>Total utility adjustment for unit</b>	<b>- \$ 97</b>	

The RGI is determined by subtracting the utility adjustment from the base RGI as follows:

Base RGI	\$ 480
Utility adjustment	- \$ 97
<hr/>	
<b>RGI charge</b>	<b>\$ 383</b>

Helene lives in a two-bedroom apartment. The housing provider pays the costs for all utilities including the electricity to heat the unit. Helene owns her own fridge and stove.

The base RGI is \$191.

The utility adjustment for the unit is:

Electricity for unit	\$ 34	per Table 6
Power for cooking facilities	\$ 9	per Table 6
Fridge	- \$ 2	per Table 7
Stove	- \$ 2	per Table 7

<b>Total utility adjustment for unit</b>	<b>\$ 39</b>
RGI is determined by <u>adding</u> the utility adjustment to the base RGI as follows:	
Base RGI	\$ 191
Utility adjustment	+ \$ 39
<b>RGI charge</b>	<b>\$ 230</b>

## Legislative References

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Ontario Regulation 298/01, s. 47(1) and 51

## 15. Minimum and Maximum RGI

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### Purpose

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To outline how to calculate the minimum and maximum RGI that may be charged to a tenant or co-op member.

### Overview

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Once the total RGI amount is calculated for a tenant or co-op member, including any applicable utility adjustments, this amount is compared to the minimum RGI and the maximum RGI chargeable for the unit. The total RGI charge for the unit cannot be:

- less than the minimum RGI for the unit of \$85; or
- more than the market RGI charge for the unit.

Minimum and maximum RGI amounts apply to the entire household or unit, not to individual family units or benefit units within the household.

### Minimum RGI

---

The minimum RGI payable for a unit is \$85 per month. Household utility allowances cannot reduce the RGI for the unit below \$85.

For example:

The base RGI for a household is \$110. There is a utility allowance for the unit of \$36.

The RGI charge for the unit is:

RGI calculation  $\$100 - \$36 = \$74$

**Adjusted to minimum RGI** **\$ 85**

Minimum RGI applies to the entire household, not to individual family units within the household. Although part of the household may be responsible for less than \$85 RGI, minimum RGI is not imposed unless the total RGI for the whole household is calculated at less than \$85.

A household consists of a couple on ODSP and their 30 year old son. The couple do not receive ODSP for their son. The son has no income of his own. There is no utility adjustment for the unit.

The RGI charge for the unit is:

RGI calculation for couple	\$ 199
RGI calculation for son	\$ 0
Total RGI for household	\$199

**No minimum RGI adjustment required**

## Maximum RGI

---

The maximum RGI that can be charged to a tenant or co-op member is the amount of the market rent or housing charge for the unit.

If RGI is calculated at more than the market rent or housing charge, the RGI is reduced to an amount equivalent to the market rent or housing charge.

For example:

The base RGI for a household is \$820. There is utility charge of \$39 for the unit. The market rent for the unit is \$850. The RGI charge for the unit is:

RGI calculation	$\$820 + \$39 = \$859$
<b>Adjusted to maximum RGI</b>	<b>\$ 850</b>

## Legislative References

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Ontario Regulation 298/01, s. 47(2)

## 16. Pro-rated RGI

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### Purpose

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To outline how to calculate RGI for a partial month of occupancy.

### Overview

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If a tenant or co-op member lives in a unit for less than a full month, the RGI for the month is prorated so that the tenant or co-op member only pays for the part of the month in which it occupied the unit. This may occur in the month of move-in or the month of move-out.

#### Move-ins

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If a new tenant or co-op member's lease or housing agreement stipulates a move-in date that is after the first of the month, the RGI will be pro-rated for the first month of occupancy.

The RGI is not prorated if the lease or housing agreement begins on the first of the month, and the tenant or co-op member chooses not to move in until after this date.

To pro-rate the RGI for the month of move-in:

- calculate the full monthly RGI amount
- determine the daily RGI rate by dividing the full monthly RGI amount by the number of days in the month of move-in
- multiply the daily rate by the number of days that the tenant or co-op member will occupy the unit in the month of move-in.

For example:

John moves into an RGI unit on July 19. This means that, in the month of move-in, they will reside in the unit for only 13 days of a 31 day month.

The full monthly RGI for the unit (including utility adjustments) is \$500.

Full monthly RGI	\$500
Daily RGI	\$500 divided by 31 days = \$16.13
Pro-rated RGI	\$16.13 times 13 days = \$209.69

**The pro-rated RGI for the month of July is \$210** (\$209.69 rounded to the nearest dollar).

Housing providers can also use the table on the following page to determine prorated RGI in the month of move-in. To use the table:

- select the column that matches the number of days in the month of move-in
- move down the column to the row with the date of the month in which the tenant or co-op member moved in
- multiply the factor indicated by the full monthly RGI.

In the earlier example:

John moves into an RGI unit on July 19. The full monthly RGI for the unit (including utility adjustments) is \$500.

Full monthly RGI	\$500
Column to use	31 days (last column)
Row to use	19th
Factor for pro-rating	0.41935 (where column and row intersect)
Pro-rated RGI	\$500 times 0.41935 = \$209.68

**The pro-rated RGI for the month of July is \$210** (\$209.68 rounded to the nearest dollar).

## Pro-rating RGI in the Month of Move-in

Use these factors in months with:

Move-in Day	28 Days	29 Days	30 Days	31 Days
31st	--	--	--	.03226
30th	--	--	.03333	.06452
29th	--	.03448	.06667	.09677
28th	.03571	.06897	.10000	.12903
27th	.07143	.10345	.13333	.16129
26th	.10714	.13794	.16667	.19355
25th	.14286	.17242	.20000	.22581
24th	.17857	.20690	.23333	.25806
23rd	.21428	.24138	.26667	.29032
22nd	.25000	.27586	.30000	.32258
21st	.28571	.31035	.33333	.35484
20th	.32143	.34483	.36667	.38710
19th	.35714	.37932	.40000	.41935
18th	.39285	.41378	.43333	.45161
17th	.42857	.44827	.46667	.48387
16th	.46428	.48276	.50000	.51613
15th	.50000	.51724	.53333	.54839
14th	.53572	.55173	.56667	.58065
13th	.57143	.58622	.60000	.61290
12th	.60715	.62068	.63333	.64516
11th	.64286	.65517	.66667	.67742
10th	.67857	.68965	.70000	.70968
9th	.71429	.72414	.73333	.74194
8th	.75000	.75862	.76667	.77419
7th	.78572	.79310	.80000	.80645
6th	.82143	.82758	.83333	.83871
5th	.85714	.86206	.86667	.87097
4th	.89286	.89655	.90000	.90323
3rd	.92857	.93103	.93333	.93548
2nd	.96429	.96552	.96667	.96774
1st	--	--	--	--



## Move-outs

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If a tenant or co-op member provides notice of move-out prior to the end of a calendar month, the RGI may be pro-rated for the final month of occupancy.

The RGI is not prorated if the tenant or co-op member has a legal obligation to pay for the full final month of tenancy (e.g. if the tenant or co-op member vacates the unit without notice or chooses to vacate prior to the date of notice).

To pro-rate the RGI for the month of move-out:

- calculate the full monthly RGI amount
- determine the daily RGI rate by dividing the full monthly RGI amount by the number of days in the month of move-out
- multiply the daily rate by the number of days that the tenant or co-op member will occupy the unit in the month of move-out.

For example:

Kelly gives notice to vacate an RGI unit on August 27. The full monthly RGI for the unit (including utility adjustments) is \$600.

Full monthly RGI      \$600

Daily RGI      \$600 divided by 31 days = \$19.36

Pro-rated RGI      \$19.36 times 27 days = \$522.72

**The pro-rated RGI for the month of August is \$523** (\$522.72 rounded to the nearest dollar).

Housing providers can also use the table on the following page to determine prorated RGI in the month of move-out. To use the table:

- select the column that matches the number of days in the month of move-out
- move down the column to the row with the date of the month in which the tenant or co-op member moved out

- multiply the factor indicated by the full monthly RGI.

### Pro-rating RGI in the Month of Move-out

Use these factors in months with:

Move-out Day	28 Days	29 Days	30 Days	31 Days
1st	.03571	.03448	.03333	.03226
2nd	.07143	.06897	.06667	.06452
3rd	.10714	.10345	.10000	.09677
4th	.14286	.13794	.13333	.12903
5th	.17857	.17242	.16667	.16129
6th	.21428	.20690	.20000	.19355
7th	.25000	.24138	.23333	.22581
8th	.28571	.27586	.26667	.25801
9th	.32143	.31035	.30000	.29032
10th	.35714	.34483	.33333	.32258
11th	.39285	.37932	.36667	.35484
12th	.42857	.41378	.40000	.38710
13th	.46428	.44827	.43333	.41935
14th	.50000	.48276	.46667	.45161
15th	.53572	.51724	.50000	.48387
16th	.57143	.55173	.53333	.51613
17th	.60715	.58622	.56667	.54839
18th	.64286	.62068	.60000	.58065
19th	.67857	.65517	.63333	.61290
20th	.71429	.68965	.66667	.64516
21st	.75000	.72414	.70000	.67742
22nd	.78572	.75862	.73333	.70968
23rd	.82143	.79310	.76667	.74194
24th	.85714	.82758	.80000	.77419
25th	.89286	.86206	.83333	.80645
26th	.92857	.89655	.86667	.83871
27th	.96429	.93103	.90000	.87097
28th	*	.96552	.93333	.90323
29th	*	*	.96667	.93548
30th	*	*	*	.96774
31st	*	*	*	*

In the earlier example:

Kelly gives notice to vacate an RGI unit on August 27. The full monthly RGI for the unit (including utility adjustments) is \$600.

Full monthly RGI      \$600

Column to use      31 days (last column)

Row to use      27th

Factor for pro-rating      0.87097 (where column and row intersect)

Pro-rated RGI      \$600 times 0.87097 = \$522.58

**The pro-rated RGI for the month of July is \$523** (\$522.58 rounded to the nearest dollar).

## Legislative References

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Ontario Regulation 298/01, s. 47(2)

## 17. Occupancy Standards and Overhoused Households

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### Purpose

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To set occupancy standards for RGI tenants and co-op members, and establish guidelines and procedures to move overhoused RGI tenants and co-op members. The intent of this section is to:

- Ensure RGI tenants and co-op members are housed in reasonably sized accommodation according to their family size
- assist housing providers in responding to the changing needs of tenants or co-op members
- support RGI tenants and co-op members in determining what is reasonable in relation to their unique household needs.

### Occupancy Standards

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Local occupancy standards set out the maximum and minimum unit size for which an RGI tenant or co-op member is eligible, as well as the implications of:

- Dependent students living away from home
- Shared custody
- Foster care
- Live-in caregivers
- Additional bedroom for medical reasons.

Where exceptions are made to occupancy standards, the housing provider and Durham Access to Social Housing (DASH) must document the reasons on the RGI tenant or co-op member's file and include appropriate verification

### **Largest Unit**

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The largest unit for which an RGI tenant or co-op member is normally eligible has one bedroom for each member of the household - with spouses expected to share a bedroom.

### **Smallest Unit**

---

The smallest unit for which an RGI tenant or co-op member is eligible has one bedroom for every two members of the household.

### **Bachelor Units**

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Bachelor units are only for single people and for couples with no children.

### **Students Living away from Home**

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Dependants who live temporarily away from home while attending school continue to be included under occupancy standards if they:

- live in the RGI unit when not attending school (e.g. during summer break)
- are dependent on their parents for financial support.

This normally applies to dependents attending college or university away from home, but it can also apply to students at other types of schools, such as private elementary or secondary schools or residential schools. The dependant may be a full-time or a part-time student.

### **Shared Custody**

---

Where parents share custody of a child, the child will be included under the occupancy standards if they live in the RGI unit at least 40% of the time.

If each parent resides in a separate RGI unit and they share custody, it is possible for the child to be included as part of both households with respect to occupancy standards.

## **Foster Care**

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Foster care provides a temporary home for children who are in the care of a Children's Aid Society (CAS). Children may need foster care for just a few days, a week, several months or possibly years.

Children in foster care are normally not included under occupancy standards.

Children in the temporary care of relatives may be included under the occupancy standards if the care arrangements are intended to be long term. In making this decision, housing providers and DASH should consider the length of time the child has already resided with the relative, the stated intent of the parent(s) and any applicable CAS plan of care.

## **Live-in Caregivers**

---

Caregivers may provide support for a child, a senior or a person with a disability. They may be funded privately by the RGI tenant/co-op member or a member of their family, or they may be funded by a community agency or a government source such as the Ministry of Community and Social Services.

Live-in caregivers do not maintain accommodation outside the RGI unit. They are normally considered part of the RGI household for both the calculation of RGI and occupancy standards.

If an RGI tenant or co-op member has an employment contract with a live-in caregiver, and is required under the terms of the employment contract to provide them with accommodation, they can be provided an extra bedroom. In these circumstances, the live-in caregiver is not part of the household for the calculation of RGI, and the tenant or co-op member remains eligible for the extra bedroom only while the employment contract is in effect.

Caregivers who maintain accommodation elsewhere are not entitled to a bedroom, even if they provide overnight care.

### **Additional Bedroom for Medical Reasons**

---

An RGI tenant or co-op member may be entitled to an additional bedroom if it is reasonably necessary due to a disability or medical condition. This may include circumstances where:

- spouses cannot share a bedroom due to a disability or medical condition
- an extra bedroom is required for storage of medical or disability related equipment.

The following medical conditions will not normally be considered for an additional bedroom because spouses are unable to share:

- snoring and sleep apnea
- frequent night time waking or insomnia
- temporary medical conditions that make the sharing of a bedroom inconvenient for a short period.

There is a limit of one additional bedroom for medical or disability-related reasons. An additional bedroom will be considered only at the request of the RGI tenant or co-op member.

RGI applicants, tenants and co-op members must provide medical verification supporting the need for an additional bedroom. The medical verification must provide sufficient information to assist the housing provider or DASH in determining if an additional bedroom is required or if the medical condition or disability can be otherwise accommodated.

### **Extenuating Circumstances**

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Housing providers and DASH may allow for exceptions to occupancy standards in extenuating circumstances with the approval of the Housing Services Division.

## **Applicants and Incoming RGI Tenants and Co-op Members**

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DASH determines the unit sizes for which an RGI or modified housing applicant is eligible under the occupancy standards. DASH records the

largest unit size, which will allow applicants to view and express interest in all vacancies for which they are eligible under the occupancy standards.

At the time of offer, the housing provider must verify that the RGI applicant is eligible for the vacant unit under the occupancy standards. If a housing provider refuses to offer a unit because it is outside the applicable occupancy standards, the provider must notify both the applicant and DASH.

Housing providers have discretion to offer a new RGI tenant or co-op member:

- a smaller unit than they would otherwise qualify for, if the RGI tenant or co-op member agrees
- a larger unit if there are compelling reasons for the exception (e.g. the tenant will be within the occupancy standards within a reasonable time in the future) and with the approval of the Housing Services Division.

## **Review of Occupancy Standards**

---

DASH reviews applicants' occupancy standards annually while on the wait list.

Housing providers must review RGI tenants and co-op members to determine if they are in the right size unit under the occupancy standards:

- at the time of annual review
- when there is a change in the size or composition of the household
- at the request of the household.

## **Underhoused RGI Tenants and Co-op Members**

---

Underhoused RGI tenants and co-op members live in units smaller than the smallest unit permissible under the occupancy standards. These tenants/co-op members may request:

- an internal transfer to a larger unit
- a transfer to a larger unit with the same or a different provider through DASH.



Housing providers may or may not offer priority for transfer to underhoused RGI tenants/co-op members per their internal transfer policies.

RGI tenants or co-op members requesting transfer to a unit that is the same size or larger than their current unit do not have priority on the DASH wait list.

## **Overhoused RGI Tenants and Co-op Members**

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Overhoused RGI tenants and co-op members live in units larger than the largest unit permissible under the occupancy standards.

Overhoused RGI tenants and co-op members are not required to transfer to smaller units until they have been overhoused for 12 consecutive months. However, they may choose to move at any time.

If an RGI tenant or co-op member did not notify the housing provider at the time they became overhoused (e.g. when someone moved out of the unit), the housing provider may consider the time they have already been overhoused.

Overhoused tenants have priority on the DASH wait list.

### **Notice of Overhousing**

---

When an RGI tenant or co-op member becomes overhoused the housing provider will give them notice:

- stating that they are overhoused
- advising that they may be required to move to a smaller unit if they remain overhoused for 12 consecutive months
- noting the largest size of unit for which they are eligible
- informing them that their eligibility for their current unit will be reviewed in 12 months.

A template Notice of Overhousing letter is set out in Section 19 – Letter Templates.

## **Follow Up**

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If an RGI tenant or co-op member remains overhoused for 12 consecutive months, the housing provider will review the current household circumstances to determine if they should move to a smaller unit.

## **Extensions**

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Depending on the circumstances, the housing provider may extend the time that an RGI tenant or co-op member may remain overhoused. In making its decision, the housing provider should consider the:

- reasons the RGI tenant or co-op member is overhoused
- anticipated changes to household circumstances in the future
- impact of moving the RGI tenant or co-op member.

Circumstances that may warrant an extension to the time that a household remains overhoused include, but are not limited to:

- Someone in the household is pregnant.
- There are children in the temporary care of the Children's Aid Society (CAS), and there is a plan of care for them to be returned to the household.
- The RGI tenant or co-op member is disabled and is actively seeking a roommate or a live-in caregiver to join the household.
- The RGI tenant or co-op member is temporarily unable to move to a different unit because of illness or disability.
- The RGI tenant or co-op member will be eligible to apply for seniors housing within the next two years, and an extension will provide them with stability prior to moving to a seniors unit.
- The RGI tenant or co-op member is overhoused by only one bedroom, and there is reason to believe that they may need to further downsize within the next two years (e.g. as children age and move out of the household). An extension will limit the number of times the household must move.

Extensions to the time an RGI tenant or co-op member may remain overhoused can be granted for up to 6 months at a time – to a maximum of 36 months in total, including the initial 12 months.

Extensions beyond 36 months may be granted in exceptional circumstances with the approval of the Housing Services Division.

The housing provider must notify the RGI tenant or co-op member of all:

- extensions, including the reason for the extension and when it will next be reviewed
- denials of extensions, including the reason for the denial and the right to request a Regional Review of the decision.

Decisions about extensions and the reasons for their approval or denial must be clearly documented on the RGI tenant or co-op member's file.

## Overhoused Transfers

---

An RGI tenant or co-op member, who has been overhoused for more than 12 months and is not eligible for an extension, must transfer to a smaller unit. In order to remain eligible for RGI, the tenant/co-op member must be on the:

- housing provider's internal transfer list to transfer to a smaller unit
- DASH wait list to transfer to a smaller unit, if they have refused one offer of an internal transfer to a smaller unit
- DASH wait list to transfer to a smaller unit, if their housing provider does not have the smaller unit size in their portfolio.

In order to remain eligible for RGI, overhoused RGI tenants and co-op members on the DASH wait list:

- must be registered on the DASH Vacancies Site and actively viewing and expressing interest in vacancies
- cannot refuse more than three offers to transfer to a smaller unit, including any internal transfer offers after 12 months.

## **Internal Transfers**

---

If the overhoused tenant or co-op member lives in a property that has suitable smaller units, the housing provider will place them on the internal transfer list to move to a smaller unit at their current property.

At its discretion, the housing provider may place the overhoused tenant or co-op member on their internal transfer list to transfer to a smaller unit at another property in their portfolio.

The housing provider must notify the overhoused RGI tenant or co-op member when they are placed on the internal transfer list. Notice must set out that:

- they are overhoused and required to move to a smaller unit
- they have been placed on the internal transfer list
- if they refuse an offer to transfer, they will be placed on the DASH waiting list to transfer to a smaller unit outside of the current project.
- they have the right to request a Regional Review.

A template Overhoused: Internal Transfer Notice is set out in Section 19 – Letter Templates.

Housing providers may disregard a refused offer in extenuating circumstances. Housing providers should consider the reason for the refusal and the impact on the RGI tenant or co-op member. All disregarded offers must be documented on the tenant/co-op member file, including the reasons for the decision. If an offer is disregarded, the RGI tenant or co-op member remains on the internal transfer list until another offer is made.

## **DASH Transfers**

---

The housing provider will ensure that an overhoused RGI tenant or co-op member is added to the DASH wait list to transfer to a smaller unit if:

- the tenant/co-op member's current property does not have smaller units for them to move into
- the tenant/co-op member has refused an offer to transfer to a smaller unit.

An RGI tenant or co-op member may remain on the current housing provider's internal transfer list while also on the DASH wait list for transfer.

## **Overhoused Households on the DASH Wait List**

---

If an overhoused RGI tenant or co-op member is required to be on the DASH wait list to maintain their RGI eligibility, the housing provider is responsible for adding them to the DASH wait list. The housing provider must:

- notify the tenant or co-op member that they are required to be on the DASH wait list to transfer to a smaller unit
- provide the tenant or co-op member with an Application for Transfer form to be returned to the housing provider within 10 days
- forward the Application for Transfer form to DASH once received.

### **Notice and Application for Transfer Form**

---

The housing provider will give the overhoused RGI tenant or co-op member the Application for Transfer form and notify them that:

- They are overhoused and required to be placed on the DASH wait list to move to a smaller unit.
- They must complete the Application to Transfer form and return it to the housing provider within 10 days or they will be determined ineligible for RGI.
- While on the DASH wait list, they must register for the DASH Vacancies Site and regularly log in and express interest in vacancies. DASH will notify them of how to do this.
- They have a right to request a Regional Review.

Section 19 – Letter Templates sets out the following sample letters:

- The Overhoused: DASH Transfer Notice (Internal transfer refusal) is used for RGI tenants or co-op members who are being added to DASH because have refused an offer of an internal transfer.

- The Overhoused: DASH Transfer Notice (No smaller units at current provider) is used for RGI tenants or co-op members who are being added to DASH because their provider does not have smaller units for them to move into.

A sample Application for Transfer form is set out in Section 20 – Forms.

Once the Application for Transfer form is returned to them, the housing provider will complete the “To be completed by housing provider” section and send it to DASH, noting the:

- name of the current housing provider
- size of unit to which the RGI tenant or co-op member must transfer
- number of internal transfer offers that were refused (excluding offers that the housing provider disregarded due to extenuating circumstances)
- date the RGI tenant or co-op member became overhoused.

### **DASH Procedures**

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DASH will only accept Application for Transfer forms from the current housing provider. If an Application for Transfer or an Application for RGI or Modified Housing form is received from a current social housing tenant or member, DASH will contact the housing provider to determine if this is a request for transfer because the applicant is overhoused (or a transfer request or an in-situ RGI application) and ensure the housing provider is informed when the applicant is placed on the DASH wait list.

When DASH receives an Application for Transfer from the housing provider for an overhoused RGI tenant or co-op member, they will place the applicant on the DASH wait list and record:

- overhoused target
- application date according to the date that the RGI tenant and co-op member became overhoused as reported by the housing provider
- number of internal transfer offers refused

- minimum property selections for all social housing providers in the municipality in which the tenant or co-op member lives (north Oshawa or south Oshawa only for Oshawa residents).

DASH may work with the overhoused tenant or co-op member to select other properties outside of the current municipality, but should ensure that a reasonable minimum number of property selections are made. For example:

- If the tenant/co-op member wants to move to a different municipality, all of the properties in that municipality must be selected.
- If the tenant/co-op member wants to move to select properties across multiple municipalities, normally at least six properties must be selected.
- DASH will notify the overhoused RGI tenant or co-op member that they have been placed on the DASH wait list to transfer to a smaller unit, and that in order to continue to be eligible for RGI, they must:
- Register for the DASH Vacancies Site within 10 days.
- Regularly log in and express interest in vacancies. At minimum, they should express interest in all vacancies in the municipality where they currently live.

Overhoused RGI tenants and co-op members have priority on the DASH wait list ahead of non-priority transfer applicants.

### **Housing Provider Updates**

Housing providers continue to be responsible for determining RGI eligibility of overhoused tenants/co-op members. Housing providers must notify DASH if an overhoused RGI tenant or co-op member on the DASH wait list:

- is no longer overhoused and required to transfer
- moves out
- is no longer eligible for RGI
- accepts an offer to transfer to a smaller unit
- refuses an offer to transfer to a smaller unit

- changes telephone numbers or other contact information.

Housing providers may use the “Transfer Applicant Changes” section on the DASH Communication Tool to notify DASH of any of these changes. A sample DASH Communication Tool is set out in Section 20 – Forms.

If DASH has had no contact with an overhoused tenant or co-op member or with their current housing provider in 12 months, it will contact the housing provider directly to confirm that the RGI tenant or co-op member is still overhoused and should remain on the DASH waiting list for transfer.

### **Offers and Transfers**

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DASH will notify the current housing provider when an overhoused RGI tenant or co-op member is referred to another housing provider. DASH will also notify the current housing provider of the outcome of the referral, including the move-in date if the offer is accepted.

### **RGI Ineligibility**

---

Overhoused RGI tenants and co-op members who have turned down an internal transfer offer, or whose current housing provider does not have suitable smaller units, continue to eligible for RGI if they are:

- on the DASH wait list to transfer to a smaller unit
- registered on the DASH Vacancies Site
- actively viewing and expressing interest in vacancies.

An overhoused RGI tenant or co-op member is ineligible for RGI if:

- They fail to return the Application for Transfer form to their housing provider within 10 days of the request.
- They fail to register on the DASH Vacancies Site within 10 days of being added to the DASH wait list.
- They fail to log in to the DASH system for 6 months.
- They refuse three offers of housing for vacancies in which they have expressed interest (including any internal transfer offers).



- They fail to express interest in three vacancies in the municipality where they currently live (or equivalent).

### **Failure to Express Interest**

---

After an applicant has been referred to a housing provider for an offer, DASH will identify the overhoused RGI tenants or members who live in the same municipality as the vacancy (or equivalent). DASH will notify those tenants/members who did not express interest in the vacancy that:

- They have failed to express interest in a transfer to a suitable smaller unit.
- They are overhoused and required to log in to the DASH Vacancies Site and regularly express interest in vacancies. At minimum, they should express interest in all vacancies in the municipality where they currently live (or equivalent).
- If they do not express interest in vacancies for smaller units, they will become ineligible for RGI and be required to pay the full market rent or housing charge for their unit.

DASH will track the number of times that an overhoused RGI tenant or co-op member fails to express interest in a suitable smaller unit vacancy. If they fail to express interest in three vacancies in the municipality where they currently live (or equivalent), DASH will remove them from the wait list and notify the housing provider.

### **Notice of RGI Ineligibility**

---

The housing provider is responsible for notice of RGI ineligibility even if the tenant or co-op member is on the DASH wait list for transfer. When an overhoused RGI tenant or co-op member is determined ineligible, DASH will remove them from the DASH wait list and notify the current housing provider. The housing provider will give the RGI tenant or co-op member notice that they:

- are ineligible for RGI in their current unit because they are not following the process to move to a smaller unit
- must pay the market rent or housing charge beginning the first day of the month following 90 days from the date of notice

- have the right to request a Regional Review.

If a Regional Review is requested, the housing provider will reconsider the decision in consultation with DASH. The housing provider and DASH will determine by consensus whether to uphold the ineligibility decision or to overturn the decision and allow for another offer.

If the decision is upheld on reconsideration, DASH will complete the Regional Review Package and forward it to the Regional Review Panel. DASH will copy the housing provider, as well as the RGI tenant or co-op member. DASH will attend the Regional Review Hearing and ensure that the housing provider receives a copy of the notice of decision of the Regional Review Panel.

## Modified and Supportive Units

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Tenants and co-op members who live in modified or supportive units are not required to move to a smaller unit as long as they continue to be eligible for the modification or support service - even if they are eligible for RGI and otherwise determined to be overhoused.

No action is required for these tenants and co-op members.

## Legislative References

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Housing Services Act, s. 42, 43  
Ontario Regulation 367/11, s. 38, 42



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## 18. Regional Review Process

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### Purpose

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To outline the process by which a Regional Review/appeal is requested and conducted.

### Overview

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The Regional Review Panel is the review body responsible for the review or appeal of decisions pertaining to rent-geared-to-income (RGI), special needs housing and priority placement on the waiting list. These are called Regional Reviews.

The Regional Review Panel also conducts reviews of decisions by the Durham Regional Local Housing Corporation (DRLHC) to refuse to offer an RGI or modified unit to an applicant on the waiting list. All other housing providers are responsible to conduct their own reviews regarding refusals to offer in accordance with their local procedures; however, they may choose to assign this responsibility to the Regional Review Panel.

Housing providers are required to forward all requests for review or appeal to the Regional Review Panel in accordance with this section.

### Regional Review Panel

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The Regional Review Panel consists of Regional staff from the Department of Social Services and representatives from housing providers and other community partners delivering housing or homelessness services.

When a Regional Review is requested a panel of three people is convened consisting of:

- one person from the Housing Services Division
- one person from the Department of Social Services, which may be from the Housing Services Division

- one person from the housing provider or community partner sectors.

The Regional Review Panel is an independent body that does not represent the as service manager or the housing provider that made the decision under review. All Panel members are required to declare a conflict and not participate in Regional Reviews where they:

- are affiliated with the housing provider that made the original decision
- participated in making the original decision
- discussed the original decision with the housing provider that made the decision prior to the review.

### **Summary of Process**

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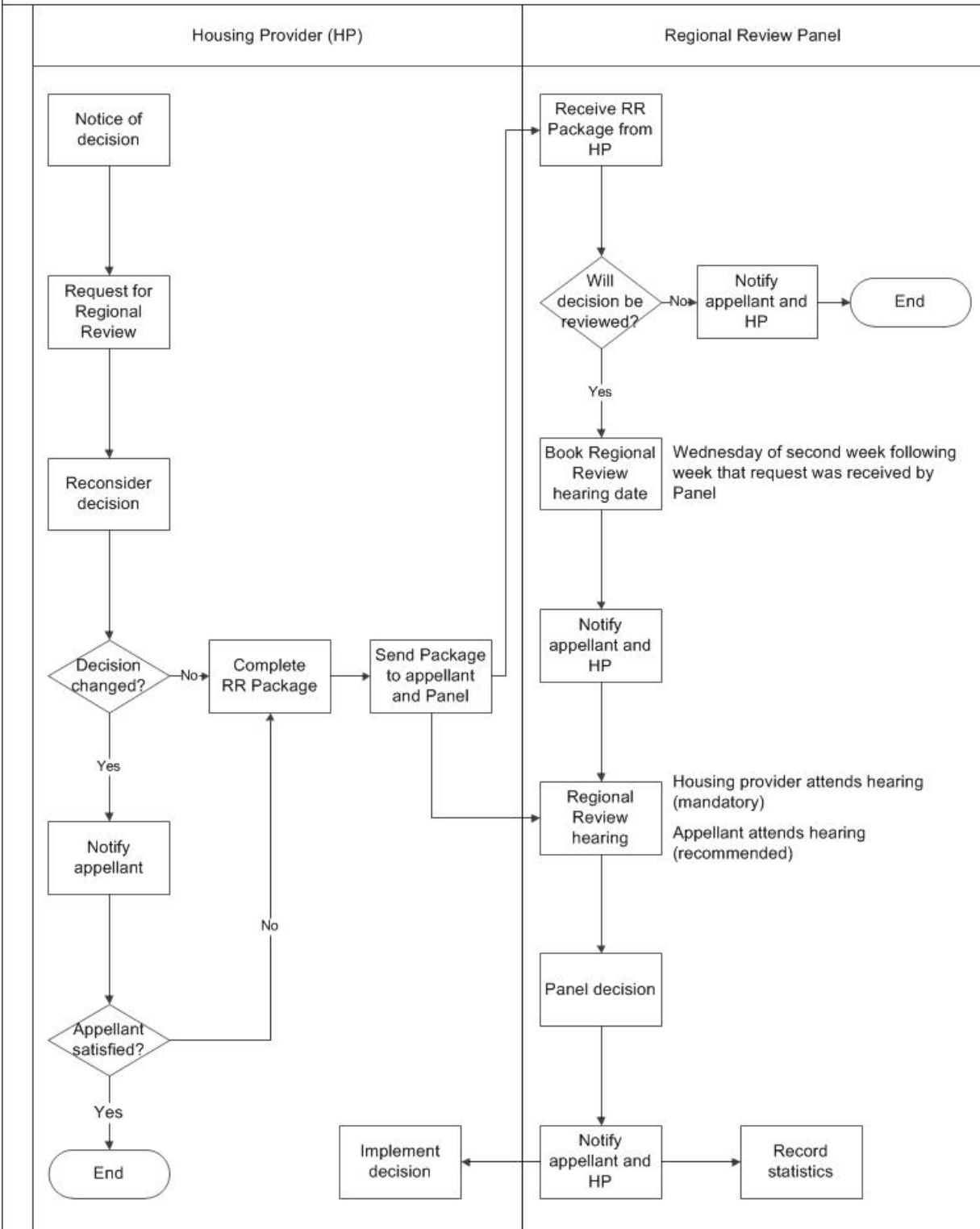
Housing providers must:

- give written notice of the above noted decisions, including the right to request a Regional Review
- reconsider decisions when requests for Regional Reviews are received
- complete the Regional Review Package and forward copies to the appellant and to the Regional Review Panel
- attend the Regional Review hearing to present the decision
- implement decisions of the Regional Review Panel in a timely manner.

The Regional Review Panel will:

- schedule the date for the Regional Review hearing
- notify the housing provider and the appellant of the date of the Regional Review hearing
- conduct the Regional Review hearing to review the original decision and determine whether to uphold or change the decision
- notify the housing provider and the appellant of the Panel's decision.

## Regional Review Process



## Types of Decisions Open to Regional Review

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Applicants, tenants and co-op members may request a Regional Review of a decision of:

- ineligibility for RGI
- ineligibility for a modified unit
- the amount of RGI payable
- the size of the unit for which the household may receive RGI, including any requirement to move to a smaller unit
- ineligibility for Special Priority status or Critical priority status on a waiting list
- ineligibility for In-situ priority for RGI
- refusal to offer a unit (DRLHC only).

## Requests for Regional Reviews

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Appellants are required to submit written requests for Regional Reviews to the housing provider that made the original decision within 10 days of the notice of the decision.

If a request for a review is received more than 10 days after the decision, the Regional Review Panel may still conduct the review if it is satisfied that there are compelling or unavoidable reasons for the delay. Housing providers cannot refuse to proceed with the review based on a delayed request. Only the Regional Review Panel can make this decision.

Requests for Regional Reviews should include:

- the decision that is being appealed
- the date the decision was made
- the reasons why the appellant disagrees with the decision
- supporting documentation that the appellant would like the Panel to consider.

Housing providers should attempt to ensure that the appellant's documentation is complete prior to forwarding the request to the Regional Review Panel.

The appellant may withdraw their request for a Regional Review at any time. If the request has been forwarded to the Regional Review Panel, the notice must be submitted to the Panel in writing.

## **Reconsideration of Decision**

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Housing providers must reconsider the original decision whenever a Regional Review is requested. The benefit of this reconsideration is to avoid unnecessary Regional Review hearings where the:

- appellant provides additional information that may affect the original decision
- housing provider and the appellant are able to reach a resolution that is acceptable to the appellant
- decision was made in error.

If the original decision is changed after reconsideration, the housing provider must notify the appellant of the new decision and the right to continue with the request for a Regional Review.

The housing provider must forward the request with the Regional Review Package to the Regional Review Panel within 10 days of receiving the request for review, if the:

- original decision is upheld after reconsideration
- original decision is changed after reconsideration, but the appellant is not satisfied with the new decision and still wants to proceed with the Regional Review
- housing provider is unable or unlikely to make a determination about whether to uphold or change the original decision within 10 days.

## **Regional Review Package**

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If the housing provider is unable to resolve the situation to the satisfaction of the appellant within 10 days of receiving a request for a Regional



Review, they must complete the Regional Review Package and forward copies to both the Regional Review Panel and to the appellant.

The Regional Review Package consists of:

- a completed Regional Review Summary Form (see Section 20 – Forms) including a summary of the reasons for the original decision
- a copy of the appellant's written request for the Regional Review and any additional information or documentation submitted by the appellant
- a copy of the notice of the original decision
- a copy of the RGI calculation, if this is the decision under review
- any other information or supporting documentation used in making the original decision.

The housing provider must send a copy of the Regional Review Package to the appellant, and also advise the appellant that:

- the request for review has been submitted to the Regional Review Panel
- the Regional Review Panel will notify the appellant of the date, time and location of the Regional Review hearing – which is likely to be the Wednesday two weeks following the date of notice
- the appellant will be invited to attend the hearing
- the housing provider will be attending the hearing.

The housing provider may use the template letter, Notice of Forwarding of Regional Review Package to Panel, in Section 19 – Letter Templates to advise the appellant of this information.

## **Regional Review Hearings**

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Regional Review hearings are normally conducted in person, and are attended by the Panel members, the appellant, and the housing provider. The Panel may accommodate either party by conference call into the hearing as required.

Appellants are strongly encouraged to attend the Regional Review hearing. They may bring a legal representative, interpreter or support

person with them to the hearing; however, legal representation is not required for the Regional Review.

The housing provider must attend the Regional Review Hearing to present a summary of the decision and detail the reasons for it. The Regional Review Panel will not present information on behalf of the housing provider.

### **Scheduling of Regional Review Hearings**

The Regional Review hearing will be scheduled on the Wednesday of the second week following the week that the request for a Regional Review is received by the Panel. The hearings will generally be conducted at the offices of the Housing Services Division. If there is no request for a Regional Review, the Panel will not meet.

The Panel may accommodate requests for hearings on alternate days or at alternate locations at its sole discretion.

When a Regional Review Package is received, the clerk to the Regional Review Panel will:

- designate three Panel members to participate in the Regional Review
- send written notice of the date, time and location of the Regional Review hearing to the appellant and to the housing provider.

If the Panel receives a request that does not qualify for a Regional Review, the clerk will send notice to the appellant and to the housing provider indicating that the original decision cannot be appealed to the Panel and the reasons for this.

Regional Reviews must be completed within 30 days of the of the appellant's request for a Regional Review.

### **Conduct of Regional Review Hearings**

At the Regional Review hearing:

- The housing provider will present a summary of the decision and detail the reasons for it. They will provide clarification of information or documentation that was previously submitted, but will not normally introduce new information.
- The appellant will detail their disagreement with the original decision, and may provide additional information or documentation to support this.
- Both the appellant and the housing provider will be given an opportunity to speak to any information presented by the other party.
- The Regional Review Panel may ask questions of both the appellant and the housing provider.
- The decision under review will not normally be discussed with one party in the absence of the other.

The Panel will make all reasonable efforts to contact an appellant or the housing provider if they fail to attend the hearing without prior notice to the Panel; however, the hearing may proceed in their absence.

The Panel may also conduct a Regional Review without a hearing with the agreement of both the appellant and the housing provider. Regional Reviews without hearings will be based on the written submissions of both parties.

## Decisions of the Regional Review Panel

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The Regional Review Panel will meet in private to make its decision. Panel decisions will be made by consensus. Panel members will base decisions on:

- oral and written submissions presented by the appellant and the housing provider at or prior to the Regional Review hearing
- legislative requirements
- Regional policies and procedures
- precedents set by earlier decisions of the Panel.

In making its decision, the Panel may seek clarification from legal, policy or finance staff of the Region regarding the implementation and/or interpretation of Regional policies and required legislation – as long as the

staff member had not previously discussed the original decision with the appellant or the housing provider involved in making the original decision.

The Panel will send notice of its decision to the appellant and to the housing provider within 5 days of the hearing date.

The housing provider will ensure that the Panel's decision is implemented in a timely manner.

All decisions of the Panel are final and will not be reconsidered.

## **Timelines for Regional Reviews**

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Regional Reviews must be completed within 30 days of the of the appellant's request for a Regional Review.

Housing providers must conduct their reconsideration within these time frames. If they are unable to resolve the situation to the satisfaction of the appellant, they must forward the request with the Regional Review package to the Panel within:

- 10 days of the appellant's request for a Regional Review
- 2 days of the appellant's request for a Regional Review of a decision of ineligibility for Special Priority status.

The Panel will send notice of its decision to the appellant and to the housing provide within 5 days of the hearing date.

## **Refusals to Offer**

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Housing providers must offer vacant RGI and/or modified units in accordance with sections 47 and 76 of O. Reg. 367/11 and Regional rules. A housing provider may refuse to offer a unit to an otherwise eligible applicant if:

- the applicant does not meet the mandate of the housing provider
- the applicant's rental history indicates that they are not likely to pay the rent/housing charge in full or on time
- the applicant is not likely to participate as a member of a housing co-operative

- it is unreasonable for the tenant or co-op member to reside in shared accommodation
- the level of support services required does not match the level of service provided for the unit (supportive units only).

Where an applicant is refused an offer for any of the above reasons, the housing provider must notify the applicant of the refusal to offer and of their right to request a review. It is the responsibility of the housing provider to conduct this review.

All housing providers – with the exception of the DRLHC - must establish procedures for the conduct of reviews of refusals to offer an RGI or modified unit. These procedures must include that:

- the refusal must be in writing and set out the reason and the right to request a review
- the review must be conducted by someone not involved in making the decision to refuse the offer
- the review must be completed within 10 days of receiving a request and the decision must be given to the appellant in writing within 5 days.

Housing providers are only required to notify an applicant of a refusal and to conduct a review (if requested) in relation to the first refusal to offer a unit to an applicant.

Housing providers are encouraged to seek the input of the Regional Review Panel in conducting reviews of refusals to offer. Housing providers may also choose to assign this responsibility to the Regional Review Panel as part of their local procedures.

The Regional Review Panel conducts reviews of decisions by the Durham Regional Local Housing Corporation (DRLHC) to refuse to offer an RGI or modified unit to an applicant on the waiting list.

## Legislative References

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Housing Services Act, s. 155, 156, 158

## 19. Letter Templates

This section sets out a number of standard letter templates related to RGI decisions and RGI administration.

Housing providers are required to incorporate the content of these letters into their own notices. All letters must be issued on the housing provider's letterhead and contain the name and contact information of a designated person for questions or clarification.

Letter titles should not be included, but providers may include a reference line in the letter.

Placeholders are inserted where the housing provider needs to enter specific information into the letter template. For example:

**[insert information when you see this type of placeholder]**

Some letters have checklists. Housing providers should include only the selected items from the checklist in their letters to RGI tenants and co-op members. Other items in the checklist should be deleted.

The Region of Durham periodically updates or develops new template letters to assist housing providers in RGI administration pertaining to specific policies or procedures.

Electronic copies of all letter templates are available on the Housing Services section of the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Housing Providers.



## Request for Information

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

Your eligibility for rent-geared-to-income (RGI) is currently being reviewed. In order to complete this review, we require the following information:

- ☐ Proof of income
- ☐ Proof of assets
- ☐ Proof of status in Canada
- ☐ Proof that property is for sale
- ☐ Your most recent Notice of Assessment from the Canada Revenue Agency
- ☐ Other:

[Enter details of the information that is being requested.]

This information must be submitted to our office no later than **[date]**. If you do not submit this information by this date, you may be determined ineligible for RGI and will be required to pay the full market rent/housing charge of **[amount]** for your unit.

If you are unable to provide this information by the above date, please contact our office immediately to make other arrangements.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]



## Notice of RGI Ineligibility

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant /RGI Co-op Member:

You are no longer eligible for rent-geared-to-income (RGI), and your rent/housing charge will increase to the full market rent/housing charge of **[amount]** on **[day of the month following 90 days after the date of this notice]** because:

- ☐ You failed to report a change in your income, assets or household composition.
- ☐ You have not returned your Annual RGI Review.
- ☐ You have not provided requested information or documentation.
- ☐ You failed to make reasonable efforts to obtain income.
- ☐ Your household assets exceed \$50,000 / \$75,000.
- ☐ You failed to divest yourself of residential property.
- ☐ You are overhoused and you have turned down three offers to move to a smaller unit.
- ☐ Not all members of your household have status in Canada.
- ☐ You can no longer live independently.
- ☐ No member of your household is at least 16 years old.

This decision was made because:

**[Outline the details of the decision – e.g. what documentation was not submitted, when the review was requested, the nature of the unreported change, etc.]**

If you disagree with this decision, you may request a Regional Review of it within 10 business days. To request a Regional Review, you must write to our office stating the reasons that you disagree with the decision. If we are unable to address your concerns, we will forward your request to the Regional Review Panel for review.

If you have any questions, please call me at **[phone number]**.

## Notice of RGI Change

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

We have completed our review of your rent-geared-to-income (RGI). Your RGI will **[increase/decrease]** to \$**[new RGI amount]** per month on **[date]**.

On **[date]** your new total monthly rent/housing charge will be:

New RGI Amount	\$
Sector Support	\$
Cable	\$
Parking	\$
Other Charges	\$
RGI Repayment	\$
Total Charge	\$

Your RGI has changed because:

**[Outline the reasons for the change.]**

If you disagree with this decision, you may request a Regional Review of it within 10 business days. To request a Regional Review, you must write to our office stating the reasons that you disagree with the decision. If we are unable to address your concerns, we will forward your request to the Regional Review Panel for review.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

## Notice of Retroactive RGI Change with Amount Owing

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

The amount of your rent-geared-to-income (RGI) has been reviewed for the period **[date]** to **[date]**. You were charged less RGI for this period than you should have paid so we have increased your RGI effective **[date]** to **\$(new RGI amount)**. This means that you must pay us an additional **\$(amount to be collected back)** for this period.

This change was made because:

[Outline the reasons for the change and amount owing. You may need to show how the amount owing was calculated.]

Please note that you must also pay the new RGI of amount of **\$(new RGI amount)** when you next pay your rent/housing charge. On **[first day of following month]**, please pay the new rent/housing charge of:

New RGI Amount	\$
Sector Support	\$
Cable	\$
Parking	\$
Other Charges	\$
RGI Repayment	\$
Total Charge	\$

If you disagree with this decision, you may request a Regional Review of it within 10 business days. To request a Regional Review, you must write to our office stating the reasons that you disagree with the decision. If we are unable to address your concerns, we will forward your request to the Regional Review Panel for review.

Please contact **[name]** and **[phone number]** by **[date]** to make arrangements to repay this amount.

If you have any other questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

## Notice of Increase to Market/Maximum RGI and 12 Month Rule

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

We have completed our review of your rent-geared-to-income (RGI). Your RGI will increase to \$[**market amount**] per month on [**date**].

On [**date**] your new total monthly rent/housing charge will be:

New RGI Amount	\$
Sector Support	\$
Cable	\$
Parking	\$
Other Charges	\$
RGI Repayment	\$
Total Charge	\$

Your RGI has changed because: [**Outline the reasons for the change.**]

You normally pay RGI of about 30% of your gross monthly income. This change means that you are now paying the maximum RGI that can be charged for your unit – which is the same as the market rate. This means that you are not currently receiving any subsidy for your unit. However, if your income goes down, your RGI may be reduced.

If your RGI stays at the market rate for 12 months in a row, you will become ineligible for RGI. This means that we will not be able to adjust your rent/housing charge if your income goes down.

We will continue to review your RGI eligibility over the next 12 months and notify you if you become ineligible for RGI.

If you disagree with the change in your RGI amount to the maximum amount, you may request a Regional Review of it within 10 business days. To request a Regional Review, you must write to our office stating the reasons that you disagree with the decision. If we are unable to address your concerns, we will forward your request to the Regional Review Panel for review.

If you have any questions, please call me at [**phone number**].

## Notice of RGI Ineligibility - 12 Months at Market

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You have been paying rent-geared-to-income (RGI) at the market rate since **[date]**. As you have not been receiving subsidy for more than 12 months, you are no longer eligible for RGI effective **[current date]**.

If you disagree with this decision, you may request a Regional Review of it within 10 business days. To request a Regional Review, you must write to our office stating the reasons that you disagree with the decision. If we are unable to address your concerns, we will forward your request to the Regional Review Panel for review.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

## Notice of Requirement to Divest of Property

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You will be moving into a rent-geared-to-income (RGI) unit on **[date]**. Our records show that you own property at:

[insert address of property]

OR

You are a current rent-geared-to-income (RGI) tenant/member. Our records show that you own property at:

[insert address of property]

You cannot own residential property that is suitable for year round occupancy and live in an RGI unit.

In order to remain eligible for RGI, you must sell or transfer this property for fair market value by **[date]**. You will need to give us proof when the property has been sold or transferred including the amount of money that you receive for it. If you still own this property on **[date]** you could be made ineligible for RGI assistance and have to pay the full market rent.

Please contact our office immediately if this property is not residential or is not suitable to live in at all times of the year.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

## Notice of Requirement to Divest of Property - Extension

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

As you are aware, you cannot own residential property that is suitable for year round occupancy and live in a rent-geared-to-income (RGI) unit. You currently own property at:

[insert address of property]

In order to remain eligible for RGI assistance, you were required to sell or transfer this property by **[original date]**. You have not yet sold or transferred this property because **[reason]**.

We have considered the reasons that you have not yet sold or transferred this property and have decided to give you more time to do so. In order to remain eligible for RGI assistance, you must give us proof that you have sold or transferred this property for fair market value by **[new date]** or you could be made ineligible for RGI assistance and have to pay the full market rent.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

## Notice of Overhousing

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

When you live in a rent-geared-to-income (RGI) unit, there are rules about the size of unit that you can live in and still qualify for RGI subsidy. You live in a [#]-bedroom unit, but the largest unit that you qualify for is a [#]-bedroom unit. This means that you are “overhoused”.

Overhoused tenants and co-op members are required to move to a smaller unit so that someone else on the wait list who needs a larger unit can be offered one. Although you do not need to move to a smaller unit unless you have been overhoused for 12 months in a row, you can choose to move at any time. Please let us know if you want to move now.

We will review your file in 12 months. If you are still overhoused at that time, you may be required to move to a smaller unit in order to continue to be eligible for RGI subsidy. If you are required to move, we will tell you what you need to do at that time.

Please let us know if you have any changes to your household in the meantime.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]



## Overhoused: Internal Transfer Notice

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You have been overhoused since [date]. We have reviewed your file and determined that you must move to a smaller unit in order to continue to be eligible for RGI. Overhoused tenants and co-op members are required to move to a smaller unit so that someone else on the wait list who needs a larger unit can be offered one.

If you disagree with this decision, you may request a Regional Review of it within 10 business days. To request a Regional Review, you must write to our office stating the reasons that you disagree with the decision. If we are unable to address your concerns, we will forward your request to the Regional Review Panel for review.

### **Process to move to a smaller unit**

You have been added to the internal transfer list to transfer to a [#]-bedroom unit at **[current housing project]**.

When a [#]-bedroom unit becomes available, you will be asked to move. If you do not find this unit suitable, you may turn it down. If you do so, your name will also be placed on the Durham Access to Social Housing (DASH) waiting list for a possible transfer to a smaller unit at other social housing buildings in the area.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

## Overhoused: DASH Transfer Notice (Internal transfer refusal)

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You have been overhoused since [date] and must move to a smaller unit in order to continue to be eligible for RGI. Overhoused tenants and co-op members are required to move to a smaller unit so that someone else on the wait list who needs a larger unit can be offered one.

If you disagree with this decision, you may request a Regional Review of it within 10 business days. To request a Regional Review, you must write to our office stating the reasons that you disagree with the decision. If we are unable to address your concerns, we will forward your request to the Regional Review Panel for review.

### **Process to move to a smaller unit**

You recently turned down an offer to transfer to a smaller unit at your current property, so you will need to be placed on the Durham Access to Social Housing (DASH) wait list to transfer to a [#]-bedroom unit at other social housing buildings in in [municipality]. Your name will remain on our transfer list as well.

To be placed on the DASH wait list, you must complete the attached Application for Transfer form and return it to our office by [date]. We will send it to DASH to have you added to the wait list.

While you are on the DASH wait list, you must register for the DASH Vacancies Site and regularly log in and express interest in vacancies. DASH will send you a letter to tell you how to do this.

If we do not receive the completed Application for Transfer form by [date], you will no longer be eligible for RGI assistance and will be required to pay the full market rent where you live now.

If you have any questions, please call me at [phone number].

Sincerely,

[Housing Provider Contact]

## Overhoused: DASH Transfer Notice (No smaller units at current provider)

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You have been overhoused since **[date]**. We have reviewed your file and determined that you must move to a smaller unit in order to continue to be eligible for RGI. Overhoused tenants and co-op members are required to move to a smaller unit so that someone else on the wait list who needs a larger unit can be offered one.

If you disagree with this decision, you may request a Regional Review of it within 10 business days. To request a Regional Review, you must write to our office stating the reasons that you disagree with the decision. If we are unable to address your concerns, we will forward your request to the Regional Review Panel for review.

### **Process to move to a smaller unit**

Unfortunately, there are no **[#]**-bedroom units at **[current housing project]** so you will have to transfer to a smaller unit with a different social housing provider.

In order to move to a smaller unit, you must complete the attached Application for Transfer form and return it to our office by **[date]**. We will send it to DASH to have you added to the Durham Access to Social Housing (DASH) wait list to transfer to a **[#]**-bedroom unit at any of the social housing projects in **[municipality]**.

While you are on the DASH wait list, you must register for the DASH Vacancies Site and regularly log in and express interest in vacancies. DASH will send you a letter to tell you how to do this.

If we do not receive the completed Application for Transfer form by **[date]**, you will no longer be eligible for RGI assistance and will be required to pay the full market rent where you live now.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

## Notice to Pursue Ontario Works

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You may be eligible to receive Ontario Works assistance. In order to continue to be eligible for rent-geared-to-income (RGI), you must apply for Ontario Works. If you start to receive Ontario Works, your RGI will change to **[amount]** per month.

Please call Ontario Works at 905-428-8982 or 1-877-678-6333 to apply. You can also apply online by going to the [Ontario Works website](http://www.ontario.ca/socialassistance) at [www.ontario.ca/socialassistance](http://www.ontario.ca/socialassistance). After you apply, Ontario Works will book an office appointment for you to sign the application and bring in the information they need to see if you qualify. You should bring a copy of this letter to the appointment as proof of your RGI.

After your office appointment with Ontario Works, you need to let us know if you are receiving Ontario Works or not. You need to tell us no later than **[date]** and give us:

- a copy of your Ontario Works payment stub or a letter from Ontario Works stating that you are eligible
- or
- a letter from Ontario Works stating that you are not eligible and giving the reason
- or
- the date of your office appointment with Ontario Works and what they told you about your eligibility.

If you do not report back to us by **[date]**, you may be made ineligible for RGI which means you may be charged the market rent/housing charge for your unit.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

## Notice to Pursue Ontario Works - Dependant

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

Your dependant, [**dependant**] may be eligible to receive Ontario Works in [**his/her**] own right. In order for your family to continue to be eligible for rent-geared-to-income (RGI), [**dependant**] must apply for Ontario Works.

If [**dependant**] starts to receive Ontario Works, [**he/she**] will be responsible to pay an additional [**amount of RGI**] per month for RGI for your unit. Your part of the RGI will remain the same.

[**Dependant**] must call Ontario Works at 905-428-8982 or 1-877-678-6333 to apply. [**He/she**] can apply online by going to the [Ontario Works website](http://www.ontario.ca/socialassistance) at [www.ontario.ca/socialassistance](http://www.ontario.ca/socialassistance). After [**he/she**] applies, Ontario Works will book an office appointment for [**him/her**] to sign the application and bring in the information they need to see if [**he/she**] qualifies. [**Dependant**] should bring a copy of this letter to the appointment as proof of his/her RGI.

After [**dependant's**] office appointment with Ontario Works, you need to let us know if [**he/she**] is receiving Ontario Works or not. You need to tell us no later than [**date**] and give us:

- a copy of [**dependant's**] Ontario Works payment stub or a letter from Ontario Works stating that [**he/she**] is eligible
- or
- a letter from Ontario Works stating that [**dependant**] is not eligible and giving the reason
- or
- the date of [**dependant's**] office appointment with Ontario Works and what they told [**him/her**] about [**his/her**] eligibility.

If you do not contact us by [**date**], your whole family may be made ineligible for RGI which means you may be charged the market rent/housing charge for your unit.

If you have any questions, please call me at [**phone number**].

## Request for Information - Declaration of Child Support (DCS) Form

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

Please complete the attached Declaration of Child Support (DCS) form for each parent or person who may be required to pay you child support. You may be entitled to receive child support for your **[child/children]** from someone who does not live with you and is your child's biological parent, adoptive parent or step parent.

Please complete a separate form for each parent or person who may be responsible to pay you child support. If you need additional forms, please contact our office or visit the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing). You can also copy this form.

In order to continue to be eligible for rent-geared-to-income (RGI), you must try to get child support if you can. The completed DCS form will help us determine what you need to do next. Please answer the questions on this form as completely as possible. If you are not sure of an answer, then write "unsure".

Please attach any current court order or written agreement to the completed DCS form. If you have a court order or written agreement that is not being paid and it is registered for enforcement with the Family Responsibility Office (FRO), please contact FRO at 416-326-1817 or 1-800-267-4330 to request a Schedule A for your account and attach it to the DCS form.

You must return the following to our office no later than **[date]**.

- the attached completed DCS form, for each parent or person who may be responsible to pay you child support
- a copy of any current court order or written agreement, even if it is not being paid
- a Schedule A from FRO, if your court order or written agreement is not being paid in full.

If you do not return the DCS form and all other applicable information by **[date]**, you may be made ineligible for RGI, which means you may be charged the market rent/housing charge for your unit.

If you have any questions, please call me at **[phone number]**.

## Notice of Referral to Family Support Worker (FSW)

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You are entitled to child support income from **[person responsible to pay support]**. You have advised that you do not have an agreement for child support and are not receiving any child support from this person.

In order to continue to be eligible for rent-geared-to-income (RGI), you must make an application to the Ontario Superior Court of Justice, Family Branch for child support from **[person responsible to pay support]**.

You can get assistance from the Ontario Works Family Support Worker (FSW) to help you make a court application for child support. You do not have to apply for or be receiving Ontario Works to get help from the FSW.

Please contact **[Name per Resource section]** at **[telephone number and extension per Resource section]** at the Ontario Works FSW Unit to make an appointment. You must tell them that you are living in an RGI unit, are required to pursue child support and need help making a court application. You may bring them this letter as proof.

Please report back to our office no later than **[date]** to give us proof that you are working with the FSW to make a court application. If you do not report back to us by this date, you may be made ineligible for RGI which means you may be charged the market rent/housing charge for your unit.

You will need to keep us updated about the status of your application and your work with the FSW. Please let us know when your court dates are booked and the results of any hearings. Once you receive your court order, you will need to provide us with a copy.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

## Notice to Pursue Employment Insurance (EI)

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You have recently stopped working which means that you may be eligible for Employment Insurance benefits (EI). In order to continue to be eligible for rent-geared-to-income (RGI), you must apply for EI benefits.

Please contact Service Canada to apply for your EI benefits. You can apply online at the [Employment Insurance section of the Service Canada website](http://www.canada.ca/ei) at [www.canada.ca/ei](http://www.canada.ca/ei), or you can apply in person at one of the Service Canada Centres in the attached list.

When you receive your Record of Employment, you will need to give a copy to Service Canada and to us. Please provide this as soon as you receive it.

You will need to report back to our office no later than **[date]** and give us information from Service Canada stating:

- the amount and start date of your EI benefits
- or
- the reason that you are ineligible for EI benefits.

If your EI claim is still being processed, you must still report back to our office to tell us what is happening. If you do not report back to us by **[date]**, you may be made ineligible for RGI which means you may be charged the market rent/housing charge for your unit.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

Attachment: Service Canada Centres



## Notice to Pursue Old Age Security (OAS/GIS)

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You are now over the age of 65 years and may be eligible for Old Age Security. In order to continue to be eligible for rent-geared-to-income (RGI), you must apply for Old Age Security (OAS) including the Guaranteed Annual Income Supplement (GIS).

You can print an application for OAS and an application for GIS from the Service Canada website. You must complete both applications.

- You can print an OAS application from the [OAS section of the Service Canada website](http://www.canada.ca/oas) at [www.canada.ca/oas](http://www.canada.ca/oas).
- You can print a GIS application from the [GIS section of the Service Canada website](http://www.canada.ca/gis) at [www.canada.ca/gis](http://www.canada.ca/gis).

Please mail your completed application forms to **[strike out as necessary]**:

For postal codes beginning with "L, M or N"  
Service Canada  
PO Box 5100 Station D,  
Scarborough ON M1R 5C8

For postal codes beginning with "K or P"  
Service Canada  
PO Box 2013 Station Main  
Timmins ON P4N 8C8

Please report back to our office no later than **[date]** to give us proof that you have applied for Old Age Security. If you do not report back to us by this date, you may be made ineligible for RGI which means you may be charged the market rent/housing charge for your unit.

You will need to tell us as soon as you start to receive your Old Age Security. If you receive a back payment of your Old Age Security, you may have to pay more rent-geared-to-income for this period.

If you have any questions, please call me at **[phone number]**.

## Notice to Pursue Guaranteed Income Supplement (GIS) Only

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You are receiving Old Age Security and may be entitled to an Guaranteed Annual Income Supplement (GIS) because you have low income. In order to continue to be eligible for rent-geared-to-income (RGI), you must **[file your income tax return for last year, if applicable]** and apply for GIS.

You can print an application for GIS from the [GIS section of the Service Canada website](http://www.canada.ca/gis) at [www.canada.ca/gis](http://www.canada.ca/gis).

Please mail your completed application forms to **[strike out as necessary]**:

For postal codes beginning with "L, M or N"

Service Canada  
PO Box 5100 Station D,  
Scarborough ON M1R 5C8

For postal codes beginning with "K or P"

Service Canada  
PO Box 2013 Station Main  
Timmins ON P4N 8C8

Please report back to our office no later than **[date]** to give us proof that you have applied for GIS **[and filed your taxes, if applicable]**. If you do not report back to us by this date, you may be made ineligible for RGI which means you may be charged the market rent/housing charge for your unit.

You will need to tell us as soon as you start to receive your GIS. If you receive a back payment of your GIS, you may have to pay more rent-geared-to-income for this period.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

## Notice to Pursue Sponsorship Income (Family Class)

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

You were sponsored to come to Canada by [**name of sponsor**]. In agreeing to this sponsorship, your sponsor agreed to support you [**and your dependents**] so that you would not have to apply for Ontario Works.

In order to continue to be eligible for rent-geared-to-income (RGI), you must either apply for Ontario Works or pursue a similar amount of support from your sponsor.

If you apply for and start to receive Ontario Works, your sponsor may have to repay any social assistance paid to you. Your sponsor may also be unable to sponsor someone else to come to Canada in the future. You may want to bring this to your sponsor's attention.

Please speak to your sponsor about paying you a regular support amount. You will need to let us know by [**date**] to tell us:

- how much your sponsor will be paying you per month
- or
- that your sponsor has not agreed to pay you a regular monthly amount of support.

If you do not report back to us by [**date**] or if your sponsor does not agree to pay you a regular amount of support, you will need to apply for Ontario Works.

If you have any questions, please call me at [**phone number**].

Sincerely,

[Housing Provider Contact]

## Notice of Forwarding of Regional Review Package to Panel

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Current letter template is available on the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

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To RGI Tenant/Co-op Member:

We have received your request dated **[date of request]** for a Regional Review of the decision that **[decision under review]**. Your request has been forwarded to the Regional Review Panel with a summary of our decision. For your records, we have attached a copy of all the documents that we sent to the Regional Review Panel.

The Regional Review Panel will contact you shortly by mail to invite you to attend a Regional Review hearing to review our decision. The Panel will advise you of the date, time and location of the Regional Review hearing. This is likely to be **[Wednesday of the second week following the date of this notice]** but may be later.

At the hearing, you will be able to explain to the Panel why you disagree with the decision. We will also be attending the Regional Review hearing to explain our decision.

If you have any questions, please call me at **[phone number]**.

Sincerely,

[Housing Provider Contact]

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## 20. Forms

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This section sets out a number of standard forms related to RGI decisions and RGI administration. Housing providers are required to use these forms where applicable.

The Region of Durham periodically updates forms and develops new forms to assist housing providers in RGI administration. Housing providers are required to use the new or updated forms as they become available.

Electronic copies of all RGI forms are available on the Housing Services section of the [Region of Durham's website](http://www.durham.ca/housing) at [www.durham.ca/housing](http://www.durham.ca/housing) under Resources for Social Housing Providers.

# Application for RGI and Modified Housing Form



Housing Services Division  
Durham Access to Social Housing

## Application for Rent-Geared-to-Income (RGI) and Modified Housing

### Instructions

1. Use this application if you are applying for rent-geared-to income (RGI) or modified housing in the Region of Durham in social housing properties. Housing may also be offered with some private landlords in the region.
2. You must fill out all sections of the application form. You will find information at the beginning of each section that explains what is needed.
3. Please have all people listed on the application who are **18 years of age and over**:
  - **read and sign the Consent form on the next page**
  - **read and sign the Declaration on the final page of this application.**
4. You can complete the application form online, but you must print and sign the form and return it to:

**Durham Access to Social Housing (DASH)**  
Region of Durham, Housing Services Division  
PO Box 623, 605 Rossland Rd E, Whitby L1N 6A3  
Email: [housingservices@durham.ca](mailto:housingservices@durham.ca)  
Phone: 905-668-7711  
Toll free: 1-800-372-1102

Applications may also be returned to any social housing provider who uses the DASH wait list, as well as any Region of Durham Social Services location including Ontario Works or Employment Supports offices, Regional Child Care Centres, Family Services offices, and Regional Long-Term Care Homes.

5. You may be asked for proof of any information you give in your application.
6. If you need any assistance or have any questions about completing the application, please contact DASH at the address or telephone number above.

#### **Tell us right away if you move or if your telephone number or email address changes.**

If we cannot contact you, we will be unable to offer you housing  
and you will be removed from the wait list.

For more information about social housing, go to [www.durham.ca](http://www.durham.ca).

**If this information is required in an accessible format, please contact  
1-800-372-1102 ext. 2463.**

**Please tear off and keep this page for your records.**



Housing Services Division  
Durham Access to Social Housing

***Housing Services Act, 2011***  
**Consent to Disclosure of Information and Documents**

1. I consent to the release of information to an authorized representative of the Region of Durham and Durham Access to Social Housing (DASH) for the purpose of determining past, initial or continuing eligibility for rent-gear-to-income (RGI) assistance and/or special needs housing including my placement on any applicable wait lists.
2. Without restricting the generality of the consent in section 1, I specifically consent to the release of information relating to any assets held in any financial institution by or on behalf of me, my spouse or same-sex partner, and any dependants in my household.
3. I further consent to an authorized representative of the Region of Durham or any of its agents under contract disclosing to any party personal information about me, my spouse or same-sex partner, and any dependants included in my household for the purpose of determining initial or continuing eligibility for RGI assistance and/or special needs housing including my placement on any applicable wait lists.
4. I further consent to the exchange of information with any agency, Ministry or department of the Region of Durham, the Government of Ontario, the Government of Canada, the government of any other province or territory, or any other party for the purpose of determining initial or continuing eligibility for RGI assistance and/or special needs housing including my placement on any applicable wait lists.

**Applicant's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Spouse's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Dependant(s) (18 years and older)**

**Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

This information is collected under the legal authority of the *Housing Services Act, 2011* for the purpose of administering the social housing programs prescribed in this Act and its associated Regulations. Questions about this collection should be forwarded to the Director of Housing Services, Region of Durham at 605 Rossland Rd E, Whitby ON, L1N 6A3 or 905-668-7711 or 1-800-372-1102.





**Application for  
Rent-Geared-to-Income (RGI) and Modified Housing**

**Contact Information**

Please provide your name and current contact information.

**Tell us right away if you move or if your telephone number or email address changes.** If we cannot contact you, we will be unable to offer you housing and you will be removed from the wait list.

Last Name \_\_\_\_\_ First Name \_\_\_\_\_

Date of Birth (day/month/year) \_\_\_\_\_

Gender ☐ Male ☐ Female Social Insurance Number \_\_\_\_\_

Apt/Unit Number \_\_\_\_\_ Street Number \_\_\_\_\_ Street Name \_\_\_\_\_

Town/City \_\_\_\_\_ Province \_\_\_\_\_ Postal Code \_\_\_\_\_

Home Phone Number \_\_\_\_\_ Work Phone Number \_\_\_\_\_

Cell Phone Number \_\_\_\_\_ Email address \_\_\_\_\_

Alternate Person to Contact \_\_\_\_\_

Phone number of Alternate Contact (where we can leave a message) \_\_\_\_\_

☐ I give permission for DASH to speak with my Alternate Person to Contact about my application and offers of RGI or modified housing.

**Details about where you are living now**

☐ I rent my own place ☐ I split rent with a roommate ☐ I rent a room only

How much is your share of the monthly rent? \$ \_\_\_\_\_

Is this rent amount subsidized (e.g. RGI, rent supplement, housing benefit)? ☐ Yes ☐ No

☐ I own my own home

☐ I am staying temporarily with friends or family (no place of my own)

☐ I am staying in an emergency shelter (e.g. Cornerstone, Muslim Welfare Home, etc.)

☐ I am staying in a shelter for abused women (e.g. Denise House, Herizon House, etc.)

☐ I live on the street or outside

☐ Other (explain) \_\_\_\_\_



### Household Information

Please provide information about all adults and children who will live with you.

Last Name	First Name	Relationship	Date of Birth Day/Month/Year	Gender (Male/Female)	Social Insurance Number

Do all of the people listed currently live with you? ☐ Yes ☐ No

If No, please give the name of the person, the date they will start living with you, and the reason they are not living with you now.

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Is any member of your household expecting a baby? ☐ Yes ☐ No

Expected due date (day/month/year) \_\_\_\_\_

### Status in Canada

Were all the people in your household born in Canada? ☐ Yes ☐ No

Please provide information for all people in your household born outside of Canada.

Name	Date moved to Canada	Status in Canada	Is there a sponsorship agreement in place?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

### Income Information

List **ALL** money you and the people who will be living with you receive. This may include:

- Employment (full time, part time, casual)
- Self-employment or business income  
(Please include the name of your business and the nature of your work)
- Ontario Works (OW) and Ontario Disability Support Plan (ODSP)
- Child support payments and alimony/spousal support payments
- Employment Insurance (EI)
- Workplace Safety Insurance Board (WSIB)
- Old Age Security and Guaranteed Income Supplements (OAS/GIS/GAINS)
- Canada Pension Plan (CPP) and other pensions (e.g. company, private, foreign, military)
- Retirement Income Fund (RIF) or Life Income Fund (LIF) draws or payments
- Investment income (e.g. interest/dividends)

☐ I receive a Portable Housing Benefit or Housing Allowance paid directly to me.

☐ I do not have any income.

Name and nature of business (if self-employed) \_\_\_\_\_

Name of person receiving income	Type of Income	Gross monthly income (before deductions)
		\$
		\$
		\$
		\$
		\$

### Asset Information

List **ALL** assets owned by you and all other people who will be living with you.

Assets are things that you own, and may include:

- Bank accounts
- Term deposits, guaranteed investment certificates (GIC), savings bonds
- Registered Retirement Savings Plans (RRSP)
- Registered Education Plans (RESP)
- Stocks, shares, mutual funds
- Life Insurance (cash surrender value)
- Collections or valuables, cash (over \$1,000)
- Business assets (if you own your own business or are self-employed)

**Asset Information (continued)**

☐ I do not have any assets.

Person who owns the asset	Details of Asset (type, account number, name of bank)	Value/Account Balance
		\$
		\$
		\$
		\$

Does any person on this application own property  
(e.g. house, cottage, farm, land, mobile home, trailer, etc.)?

☐ Yes

☐ No

If Yes, please give the following information

Type of property \_\_\_\_\_ Assessed value \$ \_\_\_\_\_

Location \_\_\_\_\_ Mortgage owing \$ \_\_\_\_\_

**Application for Special Priority Status – Human Trafficking or Abuse**

Complete this section only if you are applying for priority because of human trafficking or because someone that you live with, or have lived with in the last 3 months, is abusing you or your children.

**DASH will send you a Special Priority Application package to complete.**

I want to apply for special priority due to human trafficking by (name) \_\_\_\_\_

I want to apply for special priority due to abuse by (name) \_\_\_\_\_

How are you related to this person? \_\_\_\_\_

**Select one of the three living arrangements below:**

☐ I am currently living with this person and intend to permanently live apart from them

☐ I stopped living with this person on (day/month/year) \_\_\_\_\_

☐ I have never lived with this person

**Select one of the two contact options below:**

☐ It is safe to contact me using the information given in the **Contact Information** section

☐ I want to be contacted **only** at the following address, telephone number(s) and/or email address \_\_\_\_\_

\_\_\_\_\_

### Application for Modified Housing

Do you require a modified unit (e.g. unit that is wheelchair accessible)? ☐ Yes ☐ No

If you answered yes, **you must provide details of the medical need for the modified unit from a health care professional.** Please tell us about the modifications that you need.

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### Declaration

1. I declare that all information given for this application is true to the best of my knowledge and that I have not withheld or left out any required information.
2. I declare that no member of my household is currently under a removal order to leave Canada.
3. I agree to inform the Director of Housing Services for the Regional Municipality of Durham, or his or her designate, of any changes in my income, assets, contact information or household composition.
4. I understand that the information given for this application may be used for the purpose of making decisions or verifying eligibility for assistance under the *Housing Services Act, 2011*, the *Ontario Disability Support Program Act, 1997*, the *Ontario Works Act, 1997*, or the *Child Care and Early Years Act, 2014*.

**Applicant's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Spouse's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

### Dependant(s) (18 years and older)

**Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

This information is collected under the legal authority of the *Housing Services Act, 2011* for the purpose of administering the social housing programs prescribed in this Act and its associated Regulations. Questions about this collection should be forwarded to the Director of Housing Services, Region of Durham at 605 Rossland Rd E, Whitby ON, L1N 6A3 or 905-668-7711 or 1-800-372-1102.



## Application for Transfer Form



Housing Services Division  
Durham Access to Social Housing

### Application for Transfer

**Please return this completed application to your current housing provider.  
Your housing provider will review and send it to Durham Access to Social Housing (DASH).**

#### Reason for Transfer Application

- ☐ I am applying to transfer because I am overhoused, and I understand that in order to continue to qualify for rent-geared-to-income (RGI) where I live now:
- I must be registered on the DASH Vacancies Site to transfer to a smaller unit.
  - I will be ineligible for RGI where I currently live if I am not actively expressing interest in vacancies on the DASH list in order to transfer to a smaller unit.
- ☐ I am applying to transfer because I am a victim of human trafficking or I (or my children) am being abused by someone that I live with (or have lived with in the last 3 months).
- ☐ I am applying to transfer for another reason. Please explain: \_\_\_\_\_

#### Contact Information

Last Name \_\_\_\_\_ First Name \_\_\_\_\_

Date of Birth (day/month/year) \_\_\_\_\_ Gender ☐ Male ☐ Female

Social Insurance Number \_\_\_\_\_ Current RGI amount: \_\_\_\_\_

Unit Number \_\_\_\_\_ Street Number \_\_\_\_\_ Street Name \_\_\_\_\_

Town/City \_\_\_\_\_ Postal Code \_\_\_\_\_

Home Phone Number \_\_\_\_\_ Work Phone Number \_\_\_\_\_

Cell Phone Number \_\_\_\_\_ Email address \_\_\_\_\_

Alternate Person to Contact \_\_\_\_\_

Phone number of Alternate Contact (where we can leave a message) \_\_\_\_\_

- ☐ I give permission for DASH to speak with my Alternate Person to Contact about my transfer application and offers of RGI or modified housing.

This information is collected under the legal authority of the *Housing Services Act, 2011* for the purpose of administering the social housing programs prescribed in this Act and its associated Regulations. Questions about this collection should be forwarded to the Director of Housing Services, Region of Durham at 605 Rossland Rd E, Whitby ON, L1N 6A3 or 905-668-7711 or 1-800-372-1102.

### Household Information

Please provide information about all adults and children who will live with you.

Last Name	First Name	Relationship	Date of Birth Day/Month/Year	Gender (Male/Female)	Social Insurance Number

### Declaration

I declare that all information given for this application is true to the best of my knowledge and that I have not withheld or left out any required information.

I understand that the information given for this application may be used for the purpose of making decisions or verifying eligibility for assistance under the *Housing Services Act, 2011*, the *Ontario Disability Support Program Act, 1997*, the *Ontario Works Act, 1997*, or the *Child Care and Early Years Act, 2014*.

**Applicant's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Spouse's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

### To be completed by housing provider:

Name of Housing Provider \_\_\_\_\_

Contact name and title: \_\_\_\_\_

Phone: \_\_\_\_\_ Email \_\_\_\_\_

Unit size for transfer \_\_\_\_\_ Modified Unit ☐ Yes ☐ No

Date overhoused \_\_\_\_\_ Number of refusals \_\_\_\_\_

Special Priority (SPP) only – Application package provided to tenant/co-op member? ☐ Yes ☐ No

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2463.





***Housing Services Act, 2011***  
**Consent to Disclosure of Information and Documents**

1. I consent to the release of information to an authorized representative of the Region of Durham and Durham Access to Social Housing (DASH) for the purpose of determining past, initial or continuing eligibility for rent-geared-to-income (RGI) assistance and/or special needs housing including my placement on any applicable wait lists.
2. Without restricting the generality of the consent in section 1, I specifically consent to the release of information relating to any assets held in any financial institution by or on behalf of me, my spouse or same-sex partner, and any dependants in my household.
3. I further consent to an authorized representative of the Region of Durham or any of its agents under contract disclosing to any party personal information about me, my spouse or same-sex partner, and any dependants included in my household for the purpose of determining initial or continuing eligibility for RGI assistance and/or special needs housing including my placement on any applicable wait lists.
4. I further consent to the exchange of information with any agency, Ministry or department of the Region of Durham, the Government of Ontario, the Government of Canada, the government of any other province or territory, or any other party for the purpose of determining initial or continuing eligibility for RGI assistance and/or special needs housing including my placement on any applicable wait lists.

**Applicant's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Spouse's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Dependant(s) (18 years and older)**

**Dependant's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Dependant's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Dependant's Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

This information is collected under the legal authority of the *Housing Services Act, 2011* for the purpose of administering the social housing programs prescribed in this Act and its associated Regulations. Questions about this collection should be forwarded to the Director of Housing Services, Region of Durham at 605 Rossland Rd E, Whitby ON, L1N 6A3 or 905-668-7711 or 1-800-372-1102.





## Consent to Disclosure of Information and Documents



Housing Services Division  
Durham Access to Social Housing

*Housing Services Act, 2011*

### Consent to Disclosure of Information and Documents

1. I consent to the release of information to an authorized representative of the Region of Durham, Durham Access to Social Housing (DASH) and \_\_\_\_\_ for the purpose of determining past, initial or continuing eligibility for rent-geared-to-income (RGI) assistance and/or special needs housing including my placement on any applicable wait lists.
2. Without restricting the generality of the consent in section 1, I specifically consent to the release of information relating to any assets held in any financial institution by or on behalf of me, my spouse or same-sex partner, and any dependants in my household.
3. I further consent to an authorized representative of the Region of Durham or any of its agents under contract disclosing to any party personal information about me, my spouse or same-sex partner, and any dependants included in my household for the purpose of determining initial or continuing eligibility for RGI assistance and/or special needs housing including my placement on any applicable wait lists.
4. I further consent to the exchange of information with any agency, Ministry or department of the Region of Durham, the Government of Ontario, the Government of Canada, the government of any other province or territory, or any other party for the purpose of determining initial or continuing eligibility for RGI assistance and/or special needs housing including my placement on any applicable wait lists.

**Applicants Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Spouse's Name:** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Dependants (18 years and older)**

**Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Name** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Name:** \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

This information is collected under the legal authority of the *Housing Services Act, 2011* for the purpose of administering the social housing programs prescribed in this Act and its associated Regulations. Questions about this collection should be forwarded to the Director of Housing Services, Region of Durham at 605 Rossland Rd E, Whitby ON, L1N 6A3 or 905-668-7711 or 1-800-372-1102.



## DASH Communication Tool

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DASH Communication Tool  
Vacancies | Referrals and Offers  
[housingservices@durham.ca](mailto:housingservices@durham.ca)

### Housing Provider Contact Information

Name of Housing Provider: \_\_\_\_\_  
Staff Contact Name and Title: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

### RGI and/or Modified Unit Vacancy

Available Move-in Date: \_\_\_\_\_ Number of Bedrooms: \_\_\_\_\_  
Name of Housing Property: \_\_\_\_\_  
Unit #: \_\_\_\_\_ Address of Vacancy: \_\_\_\_\_  
Type of Building \_\_\_\_\_ Seniors' Unit? ☐ Modified Unit? ☐  
Other Details of Vacancy:

### Referrals and Offers

Name of Applicant: \_\_\_\_\_  
Outcome: \_\_\_\_\_  
Details (e.g. reason for denial, attempts to contact, etc.):



#### Housing Provider Contact Information

Name of Housing Provider: \_\_\_\_\_  
Staff Contact Name and Title: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

#### Transfer Applicant Changes

Name of Tenant or Co-op Member: \_\_\_\_\_  
Change: \_\_\_\_\_  
Date of Move-Out or RGI Ineligibility: \_\_\_\_\_  
Reason for RGI Ineligibility: \_\_\_\_\_  
Other changes (e.g. contact information):  
\_\_\_\_\_  
\_\_\_\_\_

#### Arrears

New or Updated Arrears: \_\_\_\_\_  
Name of Former Tenant or Co-op Member: \_\_\_\_\_  
SIN \_\_\_\_\_ Date of Birth \_\_\_\_\_  
Move-out Date \_\_\_\_\_ Amount of Arrears \$ \_\_\_\_\_  
Repayment Agreement ☐ Repayment Agreement in Pay ☐  
Street Address: \_\_\_\_\_ City/Town: \_\_\_\_\_  
Name of Property \_\_\_\_\_ Unit # \_\_\_\_\_  
Details (e.g. repayment agreement):  
\_\_\_\_\_  
\_\_\_\_\_

## Declaration of Child Support (DCS) Form



Housing Services Division  
Durham Access to Social Housing

### Declaration of Child Support (DCS)

#### Tenant/Co-op Member Information

Last Name \_\_\_\_\_ First Name \_\_\_\_\_

Unit Number \_\_\_\_\_ Address \_\_\_\_\_

#### Absent Parent (person responsible to pay support)

Last Name \_\_\_\_\_ First Name \_\_\_\_\_

Street Address \_\_\_\_\_

Town/City \_\_\_\_\_ Province \_\_\_\_\_ County \_\_\_\_\_

Date of birth \_\_\_\_\_

#### Please tell us about this person (check all that apply):

- ☐ I have no contact with this person and do not know where they live
- ☐ This person is employed. Employer: \_\_\_\_\_
- ☐ This person is on Ontario Works.
- ☐ This person is on ODSP (disability benefits).
- ☐ This person is in jail/incarcerated Release date (approximate): \_\_\_\_\_
- ☐ This person is dead/deceased.
- ☐ I, or my children, have been abused by this person.

#### Children

First and last names of each child of the Absent Parent	Date of birth of child

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2463.

### Current Support Arrangements

**Please tell us about any agreement you have or had for support even if it is not being paid.**

☐ I have a court order. Date of court order: \_\_\_\_\_

Amount of court order: \$ \_\_\_\_\_ Amount being paid per month: \$ \_\_\_\_\_

Is your court order registered with the Family Responsibility Office (FRO)? ☐ Yes ☐ No

☐ I have a written agreement. Date of agreement: \_\_\_\_\_

Amount of agreement: \$ \_\_\_\_\_ Amount being paid per month: \$ \_\_\_\_\_

Is your written agreement registered with the courts? ☐ Yes ☐ No

Is written agreement registered with the Family Responsibility Office (FRO)? ☐ Yes ☐ No

☐ I have a Verbal agreement. Amount being paid per month: \$ \_\_\_\_\_

☐ I have never had an agreement for support. Please explain the reason:

\_\_\_\_\_  
\_\_\_\_\_

**Are you willing to pursue support?**

☐ Yes, I am willing to pursue child support.

☐ No, I do not wish to pursue child support because \_\_\_\_\_

\_\_\_\_\_

### Declaration

I declare that all the information given on this form is true and correct to the best of my knowledge, and that I have not knowingly left out information or provided false information.

I have attached:

☐ a copy of my court order or written agreement

☐ a Schedule A from the Family Responsibility Office (FRO) because my court order or written agreement is not being paid in full.

Applicant's Name \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

This information is collected under the legal authority of the *Housing Services Act, 2011* for the purpose of administering the social housing programs prescribed in this Act and its associated Regulations. Questions about this collection should be forwarded to the Director of Housing Services, Region of Durham at 605 Rossland Road East, Whitby ON, L1N 6A3 or 905-668-7711 or 1-800-372-1102.

## Quarterly Reporting Statement (QRS)



### Quarterly Reporting Statement (QRS)

Name	Address	Unit #
Report all gross earnings from each payment received by you or your dependants for:		This report is due to our office on:
to		

Name of Person with earnings:						
Employer:						
<b>EARNINGS</b>	Payment Date:	Gross Amount:	Payment Date:	Gross Amount:	Payment Date:	Gross Amount:
Tips						
Total						

Check all other types of income that your household receives:

- ☐ None
 ☐ Support
 ☐ Employment Insurance Benefits  
☐ ODSP
 ☐ WSIB
 ☐ Old Age Security / GIS / GAINS  
☐ Ontario Works
 ☐ Pensions
 ☐ Other:
- Has there been any change to the amount of this income? ☐ No ☐ Yes, provide details:

Has anyone in your unit moved out? ☐ Yes ☐ No  
 Has anyone new moved into your unit? ☐ Yes ☐ No  
 If Yes, provide details:

**ATTACH PROOF OF ALL EARNINGS YOU RECEIVED DURING THE REPORTING PERIOD.  
YOUR RENT CANNOT BE RECALCULATED WITHOUT THIS.**

I declare this information to be complete and accurate, and I will advise my housing provider of any changes.

Name of applicant/tenant/member	Signature	Date
Name of spouse/same-sex partner	Signature	Date
Names of dependants (with income)	Signature	Date

#### Notice with Respect to the Collection of Personal Information

This information is collected under the legal authority of the *Housing Services Act, 2011* for the purpose of administering the social housing programs prescribed in this Act and its associated Regulations. Questions about this collection should be forwarded to the Director of Housing Services, Region of Durham at 605 Rossland Road East, Whitby ON, L1N 6A3 or 905-668-7711 or 1-800-372-1102.





## Regional Review Summary Form



Housing Services Division  
Regional Review Panel

### Regional Review Summary Form

**You will be invited to attend a Regional Review hearing to review this decision.**

Regional Reviews are normally scheduled for the Wednesday of the second week after the Regional Review Panel receives this form. The Regional Review Panel will contact you by mail to confirm the date and time of the Regional Review hearing.

#### Appellant Contact Information:

Name \_\_\_\_\_

Address \_\_\_\_\_ Postal code \_\_\_\_\_

Telephone: \_\_\_\_\_ Email \_\_\_\_\_

#### Decision under Review:

Date of original decision: \_\_\_\_\_

Date request for review was received \_\_\_\_\_

Date of reconsideration \_\_\_\_\_

Summary of decision (please attach additional pages if you need more space)

\_\_\_\_\_  
\_\_\_\_\_

#### Regional Review Package Checklist:

- ☐ Copy of Regional Review Package was sent to Appellant on date: \_\_\_\_\_
- ☐ Copy of the Appellant's written request for the Regional Review and other information or documentation submitted by the Appellant
- ☐ Copy of the notice of the original decision
- ☐ Copy of the RGI calculation, if this is the decision under review
- ☐ Other supporting documentation used in making the original decision

#### Regional Review Package Submitted by:

Name of Organization (that made the decision under review)

\_\_\_\_\_

Contact Name and Title \_\_\_\_\_

Address \_\_\_\_\_ Postal Code \_\_\_\_\_

Telephone: \_\_\_\_\_ Email \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please send completed Regional Review Package (this form and all supporting documents) to:**

**Regional Review Panel | Housing Services Division  
605 Rossland Rd E | Whitby | L1N 6A3 | Fax: 905-666-6222**

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2463.



## 21. Resources

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This section sets out a number of resources that may be helpful to housing providers who administer RGI.

These resources are accurate as of the last update of this guide. Housing providers are cautioned that these resources – notably contact information – may have changed after this guide was printed.

## Ontario Works Asset Limits

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Ontario Works asset limits are set out in [Ontario Regulation 134/98](#) under the Ontario Works Act.

Effective September 1, 2017, the Ontario Works asset limits are:

- \$10,000 for a single person
- \$15,000 for a couple with no dependants
- \$15,500 for a couple with one dependant
  - Plus \$500 for each additional dependant
- \$10,500 for a single parent with one dependant
  - Plus \$500 for each additional dependant

## Service Canada Centres

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The following is a list of Service Canada centres in the Durham Region.

- Oshawa - Service Canada Centre (Midtown Mall)  
200 John Street West, Oshawa
- Ajax - Service Canada Centre  
274 Mackenzie Avenue, Ajax
- Uxbridge Scheduled Outreach Site  
29 Toronto Street, Unit 2, Uxbridge

## Pursuit of Income - Where to Apply

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### Ontario Works

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Applicants can contact Ontario Works for intake screening by telephone or online.

For telephone intake screening, call:

Local calls: 905-428-8982

Toll-free: 1-877-678-6333

Bell Relay: 1-800-855-0511

Apply online at the [Ontario Works website](http://www.ontario.ca/socialassistance) at [www.ontario.ca/socialassistance](http://www.ontario.ca/socialassistance).

### Employment Insurance

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Applicants can apply in person at a Service Canada Centre or online.

Apply at a Service Canada Centre in Durham at any of the following locations:

- Oshawa - Service Canada Centre (Midtown Mall)  
200 John Street West, Oshawa
- Ajax - Service Canada Centre  
274 Mackenzie Avenue, Ajax
- Uxbridge Scheduled Outreach Site  
29 Toronto Street, Unit 2, Uxbridge

Apply online at the [Employment Insurance section of the Service Canada website](http://www.canada.ca/ei) at [www.canada.ca/ei](http://www.canada.ca/ei).

### Old Age Security (OAS)

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Applicants can print an OAS application from the [OAS section of the Service Canada website](http://www.canada.ca/oas) at [www.canada.ca/oas](http://www.canada.ca/oas).

Applicants must mail completed application forms to:

For postal codes beginning with "L, M or N"  
Service Canada  
PO Box 5100 Station D,  
Scarborough ON M1R 5C8

For postal codes beginning with "K or P"  
Service Canada  
PO Box 2013 Station Main  
Timmins ON P4N 8C8

### **Guaranteed Income Supplement (GIS)**

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Applicants can print a GIS application from the [GIS section of the Service Canada website](http://www.canada.ca/gis) at [www.canada.ca/gis](http://www.canada.ca/gis).

Applicants must mail completed application forms to:

For postal codes beginning with "L, M or N"  
Service Canada  
PO Box 5100 Station D,  
Scarborough ON M1R 5C8

For postal codes beginning with "K or P"  
Service Canada  
PO Box 2013 Station Main  
Timmins ON P4N 8C8



## Child Support Resources

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For general information about family law issues such as child support and custody, go the [Attorney General's website](http://www.ontario.ca/familylaw) at [www.ontario.ca/familylaw](http://www.ontario.ca/familylaw).

### **Family Support Worker (FSW) Unit**

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The Family Support Worker (FSW) unit operates out of the Ontario Works office at:

605 Rossland Rd E  
Whitby, ON L1N 6A3

RGI tenants and co-op members may self-refer to the FSW unit by calling one of the following:

- For last names beginning with A, M-Z  
Diane Baczynska – 905-666-6239 ext. 2627
- For last names beginning with B-L  
Chantel Keates – 905-666-6239 ext. 2722
- RGI tenants and co-op members do not need to be applying for or receiving Ontario Works to access the FSW Unit.

### **Family Responsibility Office (FRO)**

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Mail or fax general correspondence to the Family Responsibility Office (FRO) at:

Family Responsibility Office  
Ministry of Community and Social Services  
PO Box 200, STN A  
Oshawa, ON L1H 0C5  
Fax: 416-240-2401

To speak to a case contact, call:

Telephone: 416-326-1817  
Toll Free: 1-800-267-4330

For general information through the 24-hour Automated Information Line, call:

Telephone: 416-326-1818  
Toll Free: 1-800-267-7263

For more information go to the [Family Responsibility Office website](http://www.ontario.ca/fro) at [www.ontario.ca/fro](http://www.ontario.ca/fro).

### **Ontario Superior Court of Justice, Family Branch**

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To obtain a copy of a court order made in Durham, go to the Ontario Superior Court of Justice at:

150 Bond St E  
Oshawa, ON L1G 0A2

Tel: 905-743-2620

For more information, go to the [Ontario Courts website](http://www.ontariocourts.ca/scj) at [www.ontariocourts.ca/scj](http://www.ontariocourts.ca/scj) or the [Attorney General's website](http://www.ontario.ca/familylaw) at [www.ontario.ca/familylaw](http://www.ontario.ca/familylaw).

### **Family Law Information Centre (FLIC)**

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The Family Law Information Centre (FLIC) is located at the Ontario Superior Court of Justice at:

150 Bond St E  
Oshawa, ON L1G 0A2

RGI tenants and co-op members can go there for court forms or to speak to Information and Referral Coordinators or an Advise Lawyer before filing court forms.

For more information, go to the [FLIC section of the Attorney General's website](http://www.attorneygeneral.jus.gov.on.ca/english/family/infoctr.php) at [www.attorneygeneral.jus.gov.on.ca/english/family/infoctr.php](http://www.attorneygeneral.jus.gov.on.ca/english/family/infoctr.php).

### **Legal Aid Ontario (Oshawa Office)**

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Legal Aid may be an option for tenants/co-op members who are seeking spousal support. Legal Aid is located at:

111 Simcoe St N, 2nd Floor  
Oshawa, ON L1G 4S4

Telephone: (905) 576-2334

Toll Free: 1-866-595-0563

For more information, go to the [Legal Aid website](http://www.legalaid.on.ca) at [www.legalaid.on.ca](http://www.legalaid.on.ca).



The Regional Municipality of Durham  
605 Rossland Rd. E., Whitby, ON L1N 6A3  
905-668-7711 or 1-800-372-1102  
[www.durham.ca](http://www.durham.ca)

