



# SOCIAL HOUSING POLICIES



<b>DIVISION:</b>	Social and Community Services		
<b>POLICY SECTION:</b>	Social Housing	<b>EFFECTIVE DATE:</b>	9/26/2014
<b>SUBJECT:</b>	Housing Providers - Absence From the Unit		
<b>POLICY NUMBER:</b>	2014 – NP – 04	<b>SUPERCEDES:</b>	2003-02

## 1. PURPOSE

1.1 This policy is intended for use by all County of Simcoe housing providers that operate a designated housing project under the Housing Services Act, Rent Supplement (including former OCHAP/CSHP) and the Centralized Waitlist.

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Municipal & Private Non-Profit  
 Co-Operatives  
 Federal Non-Profit

<input checked="" type="checkbox"/>
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<input checked="" type="checkbox"/>

Rent Supplement \*  
*\*including former OCHAP/CSHP*  
 CWL  
 Simcoe County Housing

1.2 This policy is intended to inform Simcoe County Housing Providers subject to the *Housing Services Act, 2011* of the requirements related to the allowable absence, by a household, from a rent-geared-to-income unit, this policy:

- provides the permitted time period for an absence from the unit, and
- identifies the exceptional circumstances under which the time period, for an absence from the unit, may be extended, and
- advises on the requirements for administering this policy

## 2. POLICY STATEMENT

2.1 The County of Simcoe in its capacity as Service Manager, designated under section 11(1) of the *Housing Services Act, 2011*, has discretion to implement a local rule on the timeframe allowed for an absence from the unit. This local rule may include the total number of days absent in a year (no less than 90 days), in addition to, or instead of, the consecutive number of days absent (no less than 60 days). Any household that does not meet the scope of this policy may be deemed ineligible.

## 3. REFERENCES

HSA s. 2, 11, 42(2), 54(1-3), 67 (1-4), 68, 69,  
 O. Reg. 367/11 s.37, 61, 63(1-3), 83 (a-b), s. 85 (1-4)  
 O. Reg. 368/11, schedule 30

#### 4. SCOPE

- 4.1 In the County of Simcoe, a household may be found ineligible for rent-geared-to-income assistance if all members of the household are absent from the unit for more than 60 consecutive days, unless otherwise outlined under the procedures section of this policy.

#### 5. PROCEDURES

- 5.1. The housing provider must ensure that this policy and the allowable number of days absent are communicated to all rent-geared-to-income households, and as well, is made available to the public; and
- 5.2. Consecutive days are counted across the change in calendar year (Example: A household that was absent from the unit between December 1, of any given year and February 1, of the following year, are considered to be absent for more than 60 consecutive days); and
- 5.3. Where a housing provider suspects that a household is no longer residing in their unit based on the amount of days absent from the unit, the housing provider will refer to the provisions outlined in the lease/occupancy agreement for further action; and
- 5.4. The housing provider must exercise good judgment and reasonableness, to make a determination on whether a household meets the extenuating circumstances and/or the exemption criteria of a *serious medical condition*, as outlined in the procedures section of this policy; and
- 5.5. If a housing provider determines a household to have an extenuating circumstance, the time period may increase by an additional 60 consecutive days (for a total of 120 consecutive days)
- 5.6. The allowable extenuating circumstances may include, but are not limited to, the following:
  - Incarceration, which, for this policy includes:
    - awaiting trial and not convicted
    - serving time after conviction
  - Illness/death of an immediate relative (spouse/partner, child, parents, siblings, legal guardian)
  - Any medical reasons that would not require the household to be absent for more than 120 consecutive days (i.e. is not considered a *serious medical condition*, as outlined in the procedures section of this policy); and
- 5.7. The exemption criteria of a *serious medical condition* requires:
  - The household member to be absent from the unit for more than 60 consecutive days; and
  - All other household members are to be housed elsewhere as a result

In the circumstance of a *serious medical condition*:

- The household is not considered absent from the unit (i.e. the 120 consecutive day maximum time limit does not apply); and
- Housing Providers will monitor the situation to ensure the household will (at a future date) be able to return to the unit and live independently, with or without support services

Examples of a *serious medical condition* include (but are not limited to):

- Cancer
- Kidney Disease
- HIV/AIDS
- Mental Illness
- Addictions
- Any other serious medical condition that may require extensive medical treatment (and therefore an absence from the unit is necessary); and

5.8. The Housing Provider will obtain documentation to verify the household's requirement to be absent from the unit for a longer period of time than that allowed under this policy, in such form as:

- a letter from the household's lawyer confirming incarceration, awaiting trial and/or conviction
- a physician's letter or death notice, confirming relatives' illness or death, or
- a physician's letter verifying the patient's:
  - medical condition or disease
  - length of time for treatment
  - other accommodations
  - ability to return to the unit following the treatment, and live independently, with or without support services; and

5.9. Where a housing provider has deemed a household ineligible for rent-geared-to-income under this policy, the housing provider will remove the subsidy from the household and issue notification within seven days of the ineligibility decision, and include the following in the notification:

- date of the decision
- reason(s) for the decision
- whether a review of the decision can or cannot be requested, and
- if a review can be requested, the timeline and process for submitting a request for review of the decision

(Note: RGI ineligibility will take effect from the date of the notice)

5.10. Contact your Program Supervisor with any questions or concerns.