

DIRECTIVE

EFFECTIVE DATE: April 1, 2003

NUMBER: 2003-08

Approved by County Council on: March 25, 2003

The policies, procedures and County requirements in this Directive are to be implemented by housing providers that are funded under the following Programs, which are administered by the County:

Please note if your program is not checked, this Directive is not applicable to your project(s), and is for information purposes only.

✓	Federal/Provincial Non-Profit Housing Program	✓	Rent Supplement - Commercial
✓	Ontario Non-Profit Housing Programs	✓	Rent Supplement-Homelessness Initiative
✓	Federal/Provincial & Ontario Co-operative Housing Programs	✓	Rent Supplement-OCHAP & CSHP
✓	Simcoe County Housing Corporation		

SUBJECT: RENT-GEARED-TO-INCOME ASSISTANCE: OCCUPANCY STANDARDS

DELEGATED AUTHORITY

The County of Simcoe, as service manager, determines the initial eligibility of applicants for rent-geared-to-income (RGI) assistance, and reviews the eligibility of applicants. Under service agreements, housing providers are responsible for reviewing the eligibility of their tenants for RGI assistance. An initial determination of eligibility or a review of eligibility for RGI assistance must include a determination or review of the size and type of unit in respect of which a household is eligible to receive RGI assistance under the applicable occupancy standards.

BACKGROUND

Under the Social Housing Reform Act, 2000 (SHRA), a service manager must establish local occupancy standards for the purpose of determining the size and type of unit in respect of which a household is eligible to receive RGI assistance. A service manager must establish such standards within one year from the day specified by Regulation,

which in the case of the County of Simcoe is one year from April 1, 2002. If the service manager does not establish local occupancy standards within the prescribed period of time, the service manager shall be deemed to have established local standards that are identical to the provincial occupancy standards established by Regulation.

Local occupancy standards take effect on the date specified by the service manager.

The local occupancy standards for the County of Simcoe set out in this policy are similar, but not identical, to the provincial occupancy standards. The local occupancy standards are expressed as a range, with the standard for the smallest unit for which a household is eligible being stricter than the corresponding provincial standard.

LOCAL OCCUPANCY STANDARDS

This policy establishes local occupancy standards for the purposes of determining the size and type of unit in respect of which a household is eligible to receive RGI assistance in housing projects which are subject to Part V of the SHRA.

Largest unit

1. 1) The largest unit a household is eligible for is determined in accordance with this section.
- 2) The largest unit a household is eligible for is a unit that has
 - a) One bedroom for any two members of the household who are spouses of each other or same-sex partners of each other;
 - b) One bedroom for each additional member of the household; and
 - c) Any additional bedrooms under subsection 3).
- 3) The additional bedrooms referred to in clause 2) c) above are the following:
 1. An additional bedroom if one of the spouses or same-sex partners referred to in subsection 2) a) above requires a separate bedroom because of a disability or medical condition.
 2. An additional bedroom if the room is required to store equipment required by a member of the household because of a disability or medical condition.
 3. An additional bedroom if the bedroom is required to accommodate an individual who is not a member of the household and who provides a member of the household with support services that are required because of the member's disability or medical condition.

4. An additional bedroom if a member of the household is pregnant.
5. An additional bedroom if,
 - i. A member of the household has joint custody over a child who is not a member of the household,
 - ii. The member is required to provide accommodation for the child,
 - iii. The child will stay overnight with the member for a minimum of nine nights each month, and
 - iv. The bedroom is required to accommodate the child.

Only one bedroom will be allocated to a household under this paragraph of subsection 3) regardless of the number of children to whom it applies.

6. An additional bedroom if,
 - i. A member of the household has visiting rights with respect to a child who is not a member of the household,
 - ii. It is a condition of the member's visiting rights that the member must provide adequate accommodation for the child when the child stays overnight with the member,
 - iii. The child will stay overnight with the member for a minimum of nine nights each month, and
 - iv. The bedroom is required to accommodate the child.

Only one bedroom will be allocated to a household under this paragraph of subsection 3) regardless of the number of children to whom it applies.

4) An additional bedroom shall be included under clause 2) c) only if the household requests it.

5) If the household requests an additional bedroom under paragraphs 5. or 6. of subsection 3) the service manager shall require verification either in the form of an original court order or a copy of it, or a written statement which sets out the custody arrangements or visiting rights and which has been notarized or commissioned by a person who has the legal authority to do so.

Smallest unit

2. 1) The smallest unit a household is eligible for is determined in accordance with this section.
- 2) The smallest unit a household is eligible for is a unit that has,
 - a) One bedroom for every two members of the household; and
 - b) An additional bedroom if there is an odd number of members in the household.
- 3) Despite subsection 2), a parent shall not share a bedroom with one of his/her children unless the child is under 36 months in age.
- 4) Despite subsection 2), if the household consists of one individual or two individuals who are spouses of each other or same-sex partners of each other, the smallest unit the household is eligible for is a bachelor unit.
- 5) Despite subsection 2), if a household is so large in number that it cannot be accommodated in accordance with subsection 2) in any unit in the applicable housing projects located in the service area of the County of Simcoe, the service manager may exercise discretion in determining the smallest unit for which the household is eligible, and in making such a determination the service manager shall not be bound by subsection 2).
- 6) In determining the smallest unit for which a household is eligible under subsection 5), the service manager shall take into account the following factors:
 - a) Whether or not it is reasonable to require a household to accept an offer of accommodation in the largest unit in the service area of the County of Simcoe,
 - b) The size(s) of the largest unit(s) in the area(s) where the household prefers to live, and
 - c) The views of the housing provider(s) who may be required to accommodate the household.

EFFECTIVE DATE

The local occupancy standards set out in this policy document take effect on April 1, 2003.

DEFINITIONS

In this policy document “spouse or “same sex partner”, in relation to a member of a household, has the same meaning as it does in Ontario Regulation 298/01, and section 29 of Ontario Regulation 298/01 applies with respect to the household status of a child of a member of the household.

LEGISLATIVE REFERENCES

SHRA, sections 67 & 76. Ontario Regulation 298/01, sections 31& 32.