

DIRECTIVE

EFFECTIVE DATE: 7 July, 2003

NUMBER: 2003- 12

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	✓	Federal Programs
✓	Ontario Non-Profit Housing Programs	✓	Urban Native Programs
✓	Federal/Provincial & Ontario Co-operative Housing Programs	✓	Municipal Non-Profit Program
✓	Simcoe County Housing Corporation	✓	Rent Supplement Programs

SUBJECT: CONSENT TO DISCLOSURE OF PERSONAL INFORMATION

DELEGATED AUTHORITY

In relation to housing programs subject to Part V of the Social Housing Reform Act 2000 (SHRA), the County of Simcoe, as service manager, shall determine initial eligibility for rent-geared-to-income (RGI) assistance, and manage the centralized waiting list. Under service agreements, housing providers will calculate and review the amounts of RGI payable by their tenants, and review the eligibility of their tenants.

In relation to housing programs subject to operating agreements to which Canada Mortgage and Housing Corporation (CMHC) is a signatory, matters relating to eligibility, waiting lists, rent calculation, and reviews of RGI tenants will be determined in accordance with the operating agreements. Such agreements may be amended or terminated and replaced by the service manager and the housing providers.

BACKGROUND

The SHRA prescribes standards for the collection, use, disclosure and safeguarding of privacy of personal information. Personal information needs to be collected to make decisions concerning such matters as

- eligibility for RGI assistance and/or special needs housing,
- placement on waiting lists,
- the size and type of unit in respect of which a household is eligible to receive RGI assistance and/or special needs housing,
- the amount of RGI payable by a household,
- inclusion in the special priority household category.

HOUSING PROGRAMS SUBJECT TO PART V OF THE SHRA

An application for RGI assistance and/or special needs housing, must include consent to the disclosure of information and documents required for the purpose of processing the application. The application and consent must be signed by each household member who is 16 years old or older. If a household member who is 16 years old or older is unable for any reason to sign the application and the consent, or to make a valid application and give a valid consent, the application and consent may be signed on the member's behalf by another individual who

- is the parent or guardian of the member,
- is an attorney of the member under a power of attorney that authorizes the attorney to make the application and give the consent on the member's behalf, or
- is otherwise authorized to make the application and give the consent on the member's behalf.

At least once in every 12 month period Simcoe County Housing Corporation (SCHC) must review the eligibility of applicants for RGI assistance, and a housing provider must review the eligibility of its tenants and the amounts of RGI payable by its tenants. In so doing SCHC/the housing provider will require a household to provide information and documents. Therefore a consent signed by each member of the household who is 16 or over, or an authorized representative, will be required in relation to the disclosure of information and documents for the purposes of the review.

A request for inclusion in the special priority household category must include a consent signed by the abused household member, or an authorized representative, consenting to the disclosure of information and documents for the purpose of verifying the statement that a member of the household has been subject to abuse from another individual.

A consent to the disclosure of personal information relating to a person who is less than 16 years old must be given by another individual who

- is the parent or guardian of the member,
- is an attorney of the member under a power of attorney that authorizes the attorney to make the application and give the consent on the member's behalf, or
- is otherwise authorized to make the application and give the consent on the member's behalf.

Please note that if SCHC/the housing provider is satisfied that a household or third party is unable to provide information or a document, SCHC/the housing provider shall not require

the household or third party to provide that information or document. Furthermore, if a request for inclusion in the special priority household category is made with the household's application for RGI assistance and/or special needs housing, and if the member making the request believes that he or she will be at risk of being abused by the abusing individual if he or she attempts to obtain information or a document relating to the application for RGI assistance and/or special needs housing or the request for inclusion in the special priority household category, SCHC/the housing provider shall not require the member to provide that information or document. The exception due to risk applies also to requests for inclusion in the special priority household category which are made after the application for RGI assistance and/or special needs housing.

WHEN CONSENTS NEED TO BE SIGNED

Consent forms need to be signed at the following stages:

- when a household applies for RGI assistance and/or special needs housing,
- when a request for inclusion in the special priority household category is made,
- when a housing provider performs initial income testing,
- when an applicant's eligibility is reviewed,
- when a tenant's eligibility is reviewed,
- when the amount of RGI payable by a tenant is reviewed.

THE CONSENT FORM

Please use the attached form entitled 'DECLARATION AND CONSENT TO DISCLOSURE OF INFORMATION AND DOCUMENTS'. This form replaces any other consent forms that may have been used.

PRESCRIBED STANDARDS

Section 22 of Ontario Regulation 368/01 prescribes standards for the collection, use, disclosure, and safeguarding of privacy of personal information and for a person's access to his or her personal information. Please note that this section does not apply to the County of Simcoe or to Simcoe County Housing Corporation, which are governed by similar standards set out in the Municipal Freedom of Information and Protection of Privacy Act.

LEGISLATIVE REFERENCES

SHRA ss.157, 162-166; Ontario Regulation 298/01 ss. 5, 6, 11, 24, 52; Ontario Regulation 368/01 ss.21-23.

DECLARATION AND CONSENT TO DISCLOSURE OF INFORMATION AND DOCUMENTS

Social Housing Reform Act, 2000

1. I declare that all information given by me in this document is, to the best of my knowledge and belief, correct and complete.
2. I consent to the disclosure of information and documents to an authorized representative of The County of Simcoe , Simcoe County Housing Corporation, or the following Social Housing Provider or Lead Agency:

(name of Housing Provider)

for the purposes of determining and reviewing my eligibility for rent-geared-to-income (RGI) assistance and/or special needs housing, including my placement on any applicable waiting lists, for the purposes of determining and reviewing the size and type of unit in respect of which my household is eligible to receive RGI assistance and/or special needs housing, for the purposes of determining and reviewing the amount of RGI payable by my household, and, if applicable, for the purpose of making a determination about inclusion in the special priority household category on the centralized waiting list under section 68 of the *Social Housing Reform Act 2000*.

3. Without restricting the generality of the consent in section 2 above, I consent to the release of information regarding any assets held in any financial institution by or on behalf of me and any dependents in my household, for the purposes of determining and reviewing my eligibility for RGI assistance and/or special needs housing, including my placement on any applicable waiting lists, and for the purposes of determining and reviewing the amount of RGI payable by my household.

Information which is collected about you may be shared as necessary for the purpose of making decisions or verifying eligibility for assistance under the *Social Housing Reform Act ('the Act')*, the *Ontario Disability Support Act, 1997*, the *Ontario Works Act, 1997*, or the *Day Nurseries Act*, or as authorized by an agreement under section 163 or 164 of the Act.

Consent to the disclosure of personal information and documents for the purpose of determining whether a household should be included in the special priority household category on the centralized waiting list under section 68 of the Act must be given by the abused household member. Information and documents collected for such a purpose may be disclosed or shared under section 163, 164 or 165 of the Act only for the purpose of determining whether the household should be included in the special priority household category on the centralized waiting list under section 68 of the Act.

Name of applicant/tenant/member	Signature*	Date
Name of applicant/tenant/member	Signature*	Date
Name of applicant/tenant/member	Signature*	Date
Name of applicant/tenant/member	Signature*	Date
Names of dependents (who are less than 16 years old)	Signature*	Date

*If the applicant/tenant/member is unable for any reason to sign the consent or to give a valid consent, or if the person to whom the personal information and documents relate is less than 16 years old, the consent may be signed on the person's behalf by another individual who is the parent or guardian of the person, or who is an attorney of the person under a power of attorney that authorizes the attorney to give the consent on the person's behalf, or who is otherwise authorized to give the consent on the person's behalf.

This information is collected under the legal authority of the *Social Housing Reform Act 2000* (the Act), for the purpose of administering the social housing programs prescribed in the Act and its associated regulations. The information collected is further collected and protected under the *Freedom of Information and Protection of Privacy Act* and/or the *Municipal Freedom of Information and Protection of Privacy Act*.

If you have any questions or complaints about the collection, use or disclosure of your personal information, please contact:

The County of Simcoe Social Housing Division

64 Cedar Pointe Dr. Unit 1405 Barrie ON, L4N 5R7

(705) 725-7215

