



Housing Services  
355 Wellington Street,  
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London,  
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3N7

# Housing Division Notice

**Date: November 10, 2020**

**HDN# 2020 – 248**

This applicable legislation/policy is to be implemented by the housing provider(s) under the following programs:

Please note if your program is **not checked**, this change is **not applicable** to your project.

<input checked="" type="checkbox"/>	Federal Non-Profit Housing
<input checked="" type="checkbox"/>	Program Private Non-Profit
<input checked="" type="checkbox"/>	Housing Program
<input checked="" type="checkbox"/>	Co-operative Non-Profit Housing
<input checked="" type="checkbox"/>	Program Rent Supplement
<input type="checkbox"/>	Local Housing Corporation

**Subject: REFUSAL OF OFFER**

**(Replaces HDN#: 2012-179  
on January 1<sup>st</sup>, 2021)**

## **1. PURPOSE:**

To inform all housing stakeholders of the local rule, background and compliance standard regarding the amendments to Ontario Regulation 367/11 under the Housing Services Act, 2011, including a new provincial eligibility rule on refusal of offers.

## **2. BACKGROUND AND COMPLIANCE STANDARD:**

Effective January 1<sup>st</sup>, 2020, Section 39 of Ontario Regulation 367/11 will be revoked and amended to section 32.2, (1), (a & b) will come into effect. This amendment requires Service Managers to create a local rule that states all priority and non-priority household would no longer be eligible for rent-geared-to-income (RGI) assistance if that household refuses an offer from a Service Manager for assistance in a unit where the unit meets the occupancy standards and is in a housing project for which the household has expressed a preference.

Section 32.2 states that:

- The offer must be for assistance in a unit that meets the Service Manager's occupancy standards and is in a housing project for which the household has expressed a preference.
- If a household refuses an offer for a portable housing benefit it would not be considered as a refusal under this rule.
- Service Managers may determine that a household remains eligible for RGI assistance if the Service Manager is satisfied that there are extenuating circumstances.

### **3. POLICY**

- A household ceases to be eligible for RGI assistance if the household refuses an offer for an RGI unit in the Service Manager's service area that,
  - The size of unit that is offered is a size for which the household has indicated a preference.
  - The unit that is offered is a unit in respect of which the household would be eligible for RGI assistance.
  - The unit that is offered is in a housing project for which the household has indicated a preference.
- A Service Manager may determine that the household remains eligible for RGI waitlist if the Service Manager is satisfied that there are extenuating circumstances.
- After the Housing Provider has made, and documented, all reasonable efforts to contact the household in regards to offering an RGI unit within a 48 hour time period, the Household's application will be cancelled due to not having updated information.
  - However, if the household's application is cancelled due to the inability for a Housing Provider to contact them and offer the unit, the applicant will still have the opportunity to have their original application date reinstated with if they contact the Housing Access Centre within one (1) year of cancellation.
- In regards to circumstances whereby a household's application has been cancelled due to a refusal of a RGI unit within a Housing Provide for which they have indicated preference but wish to have this decision reviewed, the Internal and Final Review process must be followed.

### **4. ACTION:**

The following provides an overview of the roles and responsibilities of the tenant, housing provider and Service Manager in the administration of this local policy.

#### Process of Offering of RGI Unit

1. Housing Provider must make all reasonable efforts to contact households to offer a unit and provide a minimum of 48 hours for the household to respond to the initial offer and

document file accordingly.

2. Once the household has viewed the unit, Housing Providers must allow households at least 24 hours to accept or refuse an offer.
3. Housing Providers must advise the household that the refusal of an offer of housing within a building which they have indicated preference will count as a refusal and will be reported to the Housing Access Center for cancellation of application from the Centralized Social Housing Waitlist.
4. If the unit is refused by the household, the Housing Provider will notify the Housing Access Centre of the Refusal of Offer in writing within 3-5 business days.
5. The Housing Access Centre will send a copy of the completed 'Notice of Refusal' letter to the applicant and the Housing Provider within 10 (ten) business days.
6. Upon refusal of the first offer of a RGI unit with a Housing Provider for which the household has indicated a preference, the Housing Access Centre may deem the household ineligible for RGI assistance and their application will be cancelled.
7. If the prospective tenant is not satisfied with the decision regarding the Internal Review from the Housing Access Centre, they may wish to have the decision reviewed by the Service Manager through the Final Review process.

#### Defining All Reasonable Efforts to Contact Households

- In order to be considered a valid offer, the following conditions must be met:
  - The offer of housing must be clearly communicated to the applicant household that their one offer of housing is being made.
  - In addition, the applicant must be advised of the following:
    - Name, organization and contact information of individual making offer,
    - Location, size and type of unit (e.g. London / Middlesex, 3 bedrooms, townhouse),
    - Details of what is included with the unit (e.g. utilities, appliances, parking, etc.),
    - Date unit is available.
- Households must respond to the verbal or electronic offer of housing within 48 hours. If contact is not established by the Housing Provider, the Housing Access Centre must be notified and the Service Manager will attempt to contact the applicant.
  - Telephone voice message; text message and e-mail messages will only count as an offer if the Housing Provider is confident that they have correctly reaching the primary applicant.
  - Messages left with an authorized alternate contact should only be for the purpose of requesting the applicant contact the caller and will not count as an offer, unless specifically noted that the alternate should be receiving the offer on behalf of the household.

## Defining Extenuating Circumstances

- The following provide circumstances in which a refusal of an RGI unit is deemed acceptable and thus, would not impact their eligibility for RGI housing in the future:
  - an offer from a Service Manager an applicant is in the hospital, receiving treatment for addiction; and/or,
  - if an applicant is a survivor of domestic violence or human trafficking and a preferred building is no longer safe due to the proximity of an abuser

## Roles and Responsibilities

The Service Managers will:

- Provide the prospective tenant an opportunity to update their building selection preference form prior to the offer of housing.
- Update the eligibility for social housing upon receipt of notice from the Housing Provider that a prospective tenant refused an offer of RGI housing.
- If initiated by the applicant, conduct the Internal Review as its relate to the refusal of RGI housing.

The Housing Provider will:

- Make all reasonable efforts to contact with the applicant and/or their authorized support worker with an offer of RGI and update the administrative systems with this offer of housing accordingly.
- Inform the Housing Access Centre if an offer of RGI housing that meets current occupancy standards and it is located within a housing project for which the applicant has expressed preference, is refused in a timely manner.

Effective January 1<sup>st</sup>, 2021, the policies, procedures and Service Manager Requirements in this Housing Division Notice are to be implemented by all Housing Providers in the City of London and County of Middlesex included under the provisions of the Housing Services Act, 2011 and its associated Regulation.

## **8. AUTHORIZATION:**

*Original signed by*

Dave Purdy,  
Manager, Housing Services