



County of Wellington

Social Services Department – Housing Services

DIRECTIVE

Directive Number: 2021-03

Effective Date: March 16, 2021

This directive has been developed by the County of Wellington in its role as Consolidated Municipal Service Manager (CMSM) and applies to housing providers funded under the following social housing programmes:

- Provincially Reformed Non-Profit Housing Programmes
 - Provincially Reformed Co-operative Housing Programmes (Co-ops)
 - Local Housing Corporation (LHC)
 - Service Manager Funding Agreement (Post EOA)
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Subject

Housing Services Act 2011 – Failure to Provide Information

Legislative Reference

Housing Services Act, 2011 (HSA) O.Reg. 367/11 S.29

Directive Reference

Repeals and replaces Directive 2013-06 Failure to Provide Information

Background

HSA O.Reg. 367/11 S.29 requires that a household be deemed ineligible for rent-geared-to-income (RGI) assistance if it fails to provide requested information to determine the household's eligibility for RGI assistance or for the purpose of setting the rent amount. However, the legislation allows the CMSM to determine that a household remains eligible if it is satisfied that there are extenuating circumstances.

Purpose

To establish a process for Housing Providers to respond to households who fail to submit information and documents needed to determine their eligibility for RGI assistance.

Direction

1. Failure to Provide Required Information

The housing provider must require all RGI households to provide requested information for the determination of the household's eligibility for RGI assistance or to set the amount of rent payable.

2. Extenuating Circumstances

Housing Providers are required to consider extenuating circumstances on behalf of the CMSM.

Any requests for a waiver to these requirements based on extenuating circumstances will be considered. All extenuating circumstance requests must be submitted to the housing provider in writing prior to or as soon as the circumstances are known to the household. Housing providers must retain on file all records of decisions with regards to extenuating circumstances.

Definition

"Extenuating Circumstances" means a situation which hinders a household's ability to follow the local rule.

Application

1. The requirement to provide information applies to all RGI rent and eligibility reviews.
2. If a household has failed to provide any of the required documents as requested, housing providers must issue a follow up letter advising the household that the household's eligibility for geared-to-income assistance is in jeopardy if the information is not provided. Housing providers may choose to issue this information in a separate letter (HP4 - Eligibility Review Reminder) or it may be included in a ninety (90) days' notice of loss of RGI eligibility (HP9 - Loss of Eligibility Failure to Provide Information).
3. If the household has made an attempt to submit some of the documents but the information is incomplete, the housing provider must accept the documents submitted by the household and follow up with a letter confirming what has been submitted and providing details on what remains outstanding. Housing providers may choose to issue this follow up as a separate letter (HP3 – Missing Review Information Reminder) or the follow up may be included in a ninety (90) days' notice of loss of RGI eligibility (HP9 - Loss of Eligibility Failure to Provide Information).
4. If a household has informed the housing provider that they are unable to submit some or all of the required documents, the housing provider will notify the household that they are able to request a waiver to submit based on the extenuating circumstances. The housing provider will consider this waiver request and provide the household with a written decision regarding the request. Housing providers must retain in the household's file any waiver requests for extenuating circumstances.
5. A household becomes ineligible for RGI assistance if it fails to provide requested information to determine eligibility for RGI assistance or for the purpose of setting the rent amount. The housing provider must provide the household with ninety (90) days written notice of loss of RGI eligibility. The housing provider must also advise the household of its right to a review of the decision.

The Failure to Provide Information local rule is effective immediately.

If you require additional information, please contact the Housing Programme Advisor.



Mark Poste
Director of Housing

Appendix 1 – HP3 Missing Review Information

Appendix 2 – HP4 Eligibility Review Reminder

Appendix 3 – HP9 Loss of Eligibility Failure to Provide Information