



County of Wellington

Social Services Department – Housing Services

DIRECTIVE

Directive Number: 2022-07

Effective Date: November 18, 2022

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)
-
-

Subject	Review of Decisions System
Legislative Reference	Housing Services Act, 2011 S.53, 66 and 155-159 Ontario Regulation 367/11, S.138 and 139 Ontario Regulation 368/11, Schedule 35 Statutory Powers Procedures Act R.S.O.1990, Chapter S.22
Policy Reference	Review of Decisions Policy HS 2022-PA14.2
Directive Reference	Repeals and replaces 2021-05 Review of Decisions System

Background

The Housing Services Act, 2011 (HSA) S.155-159 requires the CMSM to establish a Review of Decisions system by which prescribed decisions that affect applicants, tenants or co-op members are reviewed by an unbiased review committee.

HSA, 2011 O.Reg. 367/11 S.138-139 sets out prescribed requirements and effective dates for the Review of Decisions system developed by the CMSM.

The Review of Decisions system centralizes the decision review process for all decisions (as prescribed under section 156 of the HSA) made by housing providers and County of Wellington Housing Services staff with respect to applicants, tenants or co-op members.

Section 156 of the HSA specifies the following decisions as reviewable:

- The household is not eligible for rent-geared-to-income assistance;
- The size and type of unit that would be permissible if the household received rent-geared-to-income assistance;
- The household is not included in a category given priority over other categories;
- The amount of rent payable by the household;
- The household is no longer eligible for rent-geared-to-income assistance;
- The household is not eligible for special needs housing;
- The special needs household is not included in a category given priority over other categories; and,
- The household that occupies a special needs housing unit no longer continues to be eligible for special needs housing.

DIRECTION

Housing Providers and the review system

Housing providers are directed to:

1. Ensure that housing provider staff cooperate with the review coordinator, chair and committee, and the review of decision process when an applicant, tenant or co-op member requests a review of the housing provider's decision through the CMSM Review of Decisions system;
2. Ensure that housing provider staff produce all decision making documentation requested by the review coordinator, chair or committee within the allocated timeframe; and,
3. Ensure that housing provider staff acknowledge all decisions reached by the Review Committee under the HSA and follow any actions required of the housing provider.

Housing Providers and committee involvement

Housing providers are directed to ensure that any committee members supplied by a housing provider are:

1. Made available for review committee meetings as they occur;
2. Made available for review committee training, as arranged by the CMSM; and,
3. Aware of how to avoid and declare a conflict of interest or an impartiality concern.

Housing Providers and facilitating the review system process

Housing providers are directed to:

1. Ensure that all staff/individuals involved in making the decisions prescribed in section 156 of the HSA are familiar with and able to access a copy of the attached Review of Decisions policy HS2022-PA14.2 (Appendix 1).
2. Provide written notices to applicants, tenants or co-op members regarding all decisions

made by the housing provider which fall under section 156 of the HSA. All written notice of decision letters must include the following section:

“What if I disagree with the decision?”

**** IMPORTANT: You have the right to a review of this decision. ****

- If you have any questions, please contact your property manager to talk about this letter with you. If you still disagree, **you can request a review of this decision.**
- This is a more formal process where people who did not take part in the original decision review your information. To start this process, you need to complete the attached **Review of Decision Request Form**. Once complete, submit the form to the County of Wellington, Review Coordinator at the address on the form by **DATE.**”

The review request deadline date used in the above paragraph must be set as 15 calendar days from the date of the original decision.

3. Attach the Review of Decisions Request Form (Appendix 2) to all notice of decision letters supplied to all applicants, tenants or co-op members in the situations prescribed in section 156 of the HSA.
4. Provide applicants, tenants or co-op members with the following contact information when they receive questions pertaining to a review request or the County of Wellington’s Review of Decisions system:

Review Coordinator
County of Wellington, Housing Services
138 Wyndham Street North
Guelph, Ontario N1H 4E8
T – 519.837.5492 ext. 4361
E – reviewcoord@wellington.ca

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



Mark Poste
Director of Housing

Appendix 1 – Review of Decisions Policy HS 2022-PA14.2

Appendix 2 – HS227 Review of Decision Request Form

Appendix 3 – HS97 Review of Decision Summary Form