

Administration	Tenant & Housing Services	Board Approved Date:	21-02-24
Policy	Tenant Selection	Revision Date:	N/A
Policy No.	20-083	Internally Approved Date:	21-02-12
References	Human Rights Code, 1990 Residential Tenancies Act, 2006 Housing Services Act, 2011 - O. Reg. 298/01 & O. Reg. 367/11 Internal Transfer Policy Review of Decisions Policy Human Rights Code Policy Accommodation Policy Privacy and Confidentiality Policy		
Forms	Code-Compliant Market Rent Application Applicant Reference Form Declaration of Property Household Income and Asset Review Form Notice Letter - Refusal to Offer Proof of Employment Income Proof of Legal Status in Canada RGI Eligibility Checklist		

1. Policy Statement

DRNPHC will select applicants for vacant units in a manner that complies with the Human Rights Code, Housing Services Act and Regional Directives issued by the Region of Durham.

2. Purpose

- to provide direction to designated staff on the use and administration of waiting lists for rent-geared-to-income, special needs, and market rent units.
- to ensure that the selection or refusal of applicants for tenancy and/or rent-geared-to-income subsidy is conducted in adherence with the appropriate service manager guidelines / directives, legislation, and regulations.

3. Scope

This policy applies to all applicable staff when filling all units for DRNPHC.

4. Definitions

Centralized waiting list

The waiting list for non-profit housing that is administered by the service manager.

DASH

Durham Access to Social Housing is unit in the Region of Durham that administers the Centralized Waiting List for RGI. This unit manages the process to apply for and receive RGI housing in the region in accordance with the Housing Services Act.

Designated staff

The staff person(s) or department designated to complete a particular action or requirement

RGI

Rent Geared to Income is a housing subsidy or benefit to make rent affordable for households

Service manager

The municipality, district social services administration board, area services board, or other agency, board, or commission responsible for the oversight and administration of DRNPHC, as named in Schedule 2 of Ontario Regulation 367/11. The Region of Durham is the appointed Service Manager for Durham Region.

Special needs waiting list

The waiting list for housing that has been modified for people with disabilities or has available support services. Under the *Housing Services Act* special needs waiting lists are maintained by the service manager or by housing providers /support agencies designated as Special Needs Administrators.

Special priority

Status granted through an approval process by service managers to applicants or tenants who have experienced domestic violence giving them higher priority on the centralized waiting list for rent-geared-to-income housing.

Targeting plan

Indicates the number of RGI units within a housing project.

Tenant

A person who has signed a lease and who enjoys all of the rights and responsibilities of tenancy.

Overhoused household

An RGI household living in a unit which is larger than the largest unit for which it qualifies under occupancy standards set by the service manager under a local rule.

5. Procedure

- a) Applicants offered units in DRNPHC will be selected from authorized waiting lists.
- b) Staff will provide information to members of the public interesting in applying for the waiting lists for RGI and market rent units. Staff will refer all inquiries for RGI to DASH.
- c) DASH will manage the wait list for RGI for DRNPHC units based on the Housing Services Act and Regional Directives.
- d) DRNPHC will manage the wait list for market rent units. Adding and updating market rent applications until the applicants receive housing or are removed from the wait list.
- e) DRNPHC will also maintain a list of applicants who are required to move based on Regional Directives or have been approved for an internal transfer based on DRNPHC Policies.

- f) Each time DRNPHC has a vacant unit they will review the targeting plan for the building to determine if the unit will be designated as RGI or if it will be filled by a market rent household. DRNPHC will further determine if the unit will be filled by an existing tenant through an internal transfer or if the unit will be filled by an applicant from the authorized waiting lists.

- g) Tenant selection

Rent-Geared-to-Income

When a unit is to be designated as RGI and to be filled with an applicant from DASH, DRNPHC will complete the Communication Form to advise DASH of the vacancy. DASH will post the vacancy and make it available for applicants to view on their website. Applicants can express their interest for units directly with DASH who will provide the name of the top ranked applicant eligible for the unit to DRNPHC. DRNPHC will contact the applicant(s) to make arrangements for the interested household to view the unit.

If the applicant(s) are not interested in the unit, a letter will be sent to the applicant documenting the refusal and the designated staff will complete a *Communication Form* and send to DASH

If the applicant is interested in applying for the vacant unit, designated staff will ask the applicant to complete the DRNPHC's housing application form and the *Eligibility Verification RGI and Modified Housing Form*.

Market rent units

Each time there is a market rent vacancy to be filled from the waiting list, designated staff will contact the market rent applicants with the oldest application who have selected the buildings/unit size to offer the unit.

If an applicant is interested in a unit, designated staff will make arrangements for the interested household to view the unit. The prospective tenant will complete DRNPHC's housing application.

Once the information has been received, designated staff will assess the application to determine the prospective household's eligibility for tenancy.

- h) Assessment of eligibility for tenancy

Designated staff will screen applicants for tenancy in accordance with DRNPHC's *Human Rights Code Policy* and *Privacy and Confidentiality Policy*.

Designated staff will:

- Review the application for completed information including income verification, past rental history, household demographics and signed consent. If the application is not completed in full, designated staff will contact the applicant to inform them of missing information
- Contact the tenants' prior landlord(s) for references to determine their rental

history and fill in an *Applicant Reference Form* when doing so.

- Designated staff will conduct a credit check on applicants (Market Rent Applicants Only)
- Assess income amounts to ensure the applicant has enough funds to cover the rent amount (Market Rent Applicants Only)
- Once the information has been assembled, designated staff will make a determination regarding the prospective household's eligibility for tenancy.
- In the event that a poor credit or rental history is received, designated staff will consult with the prospective tenants to determine what role, if any, Code-protected grounds played in their credit or rental history. If Code-protected grounds played a role, designated staff will work with the prospective household in accordance with DRNPHC's *Accommodation Policy*.
- In the event that poor credit or rental history is identified, DRNPHC may request a guarantor as a condition of tenancy.
- If designated staff determines that the household is ineligible for tenancy, they will notify the applicant(s).

i) Assessment of eligibility for RGI subsidy

If the household is deemed to be eligible for RGI subsidy, the size of the household is appropriate for the size of the unit and the household is eligible for tenancy, designated staff will contact the applicants to offer them the unit.

RGI applicants can not be in arrears with another community provider. If it is found that arrears are present, designated staff will follow direction found in the Region of Durham RGI Guide.

If the household is deemed ineligible for RGI subsidy, designated staff will issue a notice of decision to the household and complete the *Communication Form* and send it to DASH.

Offer

If designated staff determines that the household is eligible for tenancy and for an RGI subsidy, they will offer the unit to the applicant.

Selection from special needs waiting list

Applicants for units with support services or physical modifications will be selected from the special needs waiting list maintained by DASH.

Applicants from the special needs waiting list who also require an RGI subsidy will have their eligibility for the unit and subsidy assessed separately.

j) Refusal to offer RGI

Designated staff may refuse to offer a unit to an RGI applicant only if:

- the selection of the applicant household would be contrary to DRNPHC's mandate;

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- designated staff have reasonable grounds to believe, based on the applicant household's rental history, that the applicants may fail to fulfill their obligation to pay their rent in full and on time;
- in the case of special needs housing, the level of service required by the applicant household is significantly greater or significantly less than the level of assistance provided to a household in the unit.
- An eviction from a community housing unit as a result of an illegal act

Designated staff will issue a letter to the applicant household detailing the reasons why they were not offered the unit. Designated staff will keep a copy of the decision, as well as all supporting documentation used in making the decision, for a period of not less than seven (7) years (See *Sample Letter – Notice -Refusal to Offer*).

Designated staff will arrange for a review of the decision to refuse to offer the unit if a request for review is received by DRNPHC within 10 business days of issuing the notice of refusal to the applicant household. See DRNPHC's *Review of Decisions Policy*.

k) Refusal to offer (market rent)

Designated staff may refuse to offer a unit to a market rent applicant based on the following grounds:

- a pattern of late payment of a similar rent; and/or,
- insufficient income and inability/refusal to provide a guarantor and/or,
- arrears or damages reported from a previous landlord

Designated staff will contact the applicant and notify them in writing that they have been refused as tenants. Designated staff will not disclose the grounds upon which they made the decision.

Designated staff will document the decision, details and/or notes of their contact with the applicant, and file it with the application.

End.