



CESSATION OF ELIGIBILITY - RULES

for rent-geared-to-income recipients in St. Thomas and Elgin County



A household ceases to be eligible for rent-geared-to-income assistance in the following situations.

Despite these rules, the Service Manager may determine that the household remains eligible if the Service Manager is satisfied there are extenuating circumstances.

Failure to meet initial eligibility requirements (age, independence, and citizenship) – (HSA, Reg. 367/11, sec. 27)

1. A household that was initially determined to be eligible for rent-geared-to-income assistance ceases to be eligible if
 - (a) No members of the household are over the age of 16 and able to live independently
 - (b) A member of the household is not a Canadian citizen, has not made an application for status as a permanent resident under the *Immigration and Refugee Protections Act (Canada)*, or has not made a claim for refugee protection under the *Immigration and Refugee Protection Act (Canada)*.

Failure to meet initial eligibility requirements (removal order) – (HSA, Reg. 367/11, sec. 25)

2. A household that was initially determined to be eligible for rent-geared-to-income assistance ceases to be eligible if a removal order has become enforceable under the *Immigration and Refugee Protection Act*.

Failure to meet initial eligibility requirements (amounts owed by household) – (HSA, Reg. 367/11, sec. 27)

3. A household that was initially determined to be eligible for rent-geared-to-income assistance ceases to be eligible if it is later found that the household
 - (i) Owes arrears of rent
 - (ii) Owes arrears for rent-geared-to-income assistance to which the household was not entitled, either because the amount of the geared-to-income rent was less than what the household was entitled to, or because the household was not entitled to rent-geared-to-income assistance
 - (iii) Owes arrears for damages caused by a current member of the household
 - (iv) Ceases to make all reasonable efforts to repay the arrears or amounts in accordance with a repayment agreement and the Service Manager is no longer satisfied that the member is making or intends to make reasonable efforts to repay the arrears.

Failure to notify of changes - (HSA, Reg. 367/11, sec. 28)

4. If a household fails to notify the Service Manager of a change in circumstances within thirty (30) days of the change, the household ceases to be eligible for rent-geared-to-income assistance.

The change refers to a change to any information or document that the household previously provided to the Service Manager and that the household was required to provide for the purposes of determining the household's eligibility or continued eligibility for rent-geared-to-income assistance or for the purposes of determining the amount of rent payable by the household.

The change refers to a change that would have resulted in an increase in rent-geared-to-income assistance or a change in the size of a unit for which the household is eligible.

The household must notify the Service Manager

- (a) For a change to a document, by providing a copy of the changed document
- (b) For a change to information, by providing a notice setting out the change.

Failure to provide information – (HSA, Reg. 367/11, sec. 29)

- 5. A household that has been determined to be eligible for rent-geared-to-income assistance ceases to be eligible if the household fails to provide information requested by the Service Manager:
 - (a) For Annual reviews of income and assets
 - (b) To calculate the amount of geared-to-income rent.

12 months of market rent – (HSA, Reg. 367/11, sec. 30)

- 6. A household that has been receiving rent-geared-to-income assistance ceases to be eligible for such assistance if, for a period of 12 consecutive months, the amount of rent paid by the household is the same as what the rent would be if the household were not receiving rent-geared-to-income assistance.

Failure to obtain income – (HSA, Reg. 367/11, sec. 31)

- 7. If a member of a household that is receiving rent-geared-to-income assistance may be eligible to receive income of a type set out below and the member is not receiving such income, the member should be given written notice
 - (a) Stating that the member may be eligible to receive income of the type specified in the notice
 - (b) Requesting the member to apply for that income and to make reasonable efforts to do whatever is required to obtain a decision on the application and receive that income, and
 - (c) Giving the household a reasonable period of time specified in the notice within which to inform the Service Manager of the results of the application

The types of income referred to in this section are the following:

- (i) Basic financial assistance under the *Ontario Works Act, 1997*
- (ii) Support under the *Divorce Act (Canada)*, the *Family Law Act*, or the *Interjurisdictional Support Orders Act, 2002*
- (iii) Unemployment benefits under the *Employment Insurance Act (Canada)*
- (iv) A benefit under section 2 of the *Ontario Guaranteed Annual Income Act*
- (v) A pension or supplement under Part I or II of the *Old Age Security Act (Canada)*
- (vi) Support or maintenance resulting from an undertaking given with respect to the member under the *Immigration and Refugee Protection Act (Canada)*.

A household that has been given a notice under this section ceases to be eligible for rent-geared-to-income assistance if the Service Manager

- (a) Receives no response from the household within the period of time specified in the notice
- (b) Concludes, after receiving a response from the household, that the member has failed to make reasonable efforts to obtain income of the type specified in the notice.

Failure to divest residential property – (HSA, Reg. 367/11, sec. 32)

8. A household that is receiving rent-gear-to-income assistance ceases to be eligible for such assistance unless each member of the household who has a legal or beneficial interest in a freehold or leasehold estate in residential property located in or outside Ontario that is suitable for year-round occupancy divests himself or herself of his or her interest in the property and given written verification of the divestment to the Service Manager.

The divestment must occur and the verification of the divestment must be given

- (a) Within 180 days after the first day of the month for which the household begins to receive rent-gear-to-income assistance, if the member has the interest in the property at the time the household begins to receive rent-gear-to-income assistance, or
- (b) Within 180 days after the first day of the month in which the member acquires the interest in the property, if the member acquires the interest in the property after the household begins to receive rent-gear-to-income assistance.

If the household was included in the Special Priority household category at the time the household began to receive rent-gear-to-income assistance and the interest in the property is held jointly by a member of the household and the abusing individual, and if the member notifies the Service Manager that he or she believes that the divestment or the taking of steps to effect the divestment would place the member of any other member of the household at risk of abuse from the abusing individual, the Service Manager shall extend the time for the divestment and verification of the divestment for such period of time as the Service Manager considers appropriate.

Failure to comply with maximum absence rules – (HSA, Reg. 367/11, sec. 37)

9. A household ceases to be eligible for rent-gear-to-income assistance if all the members of the household are absent from the unit for which the household receives rent-gear-to-income assistance for more than:
 - (a) 60 consecutive days
 - (b) 90 days in a year.

A member of the household who is absent for medical reasons is not deemed to be absent from the unit.

Failure to comply with Occupancy Standards – (HSA, Reg. 367/11, sec. 38)

10. See "RGI Occupancy Standards" and "Overhoused Households – Policy & Procedures".

Failure to accept an offer of housing – three refusals – (HSA, Reg. 367/11, sec. 39)

11. A household ceases to be eligible for rent-gear-to-income assistance if the household refuses three offers of rent-gear-to-income assistance in a unit in St. Thomas or Elgin County.
In extenuating circumstances, the Service Manager may allow for more than three refusals or may decide not to count a refusal.