



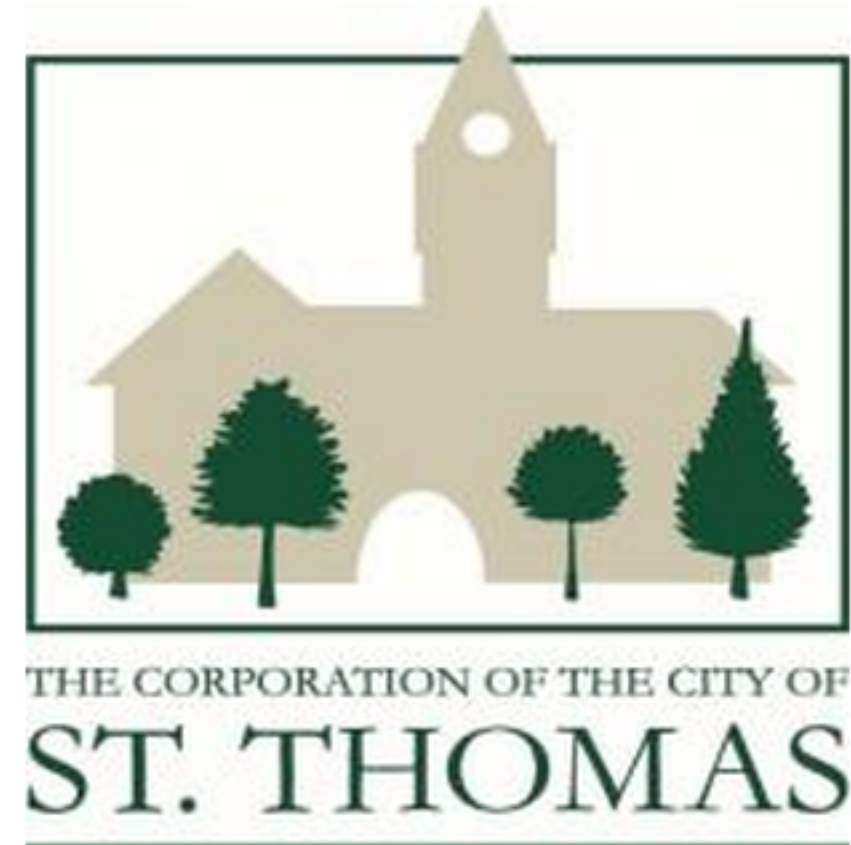
REVIEW PANEL – POLICY & PROCEDURES

per *Housing Services Act 2011*, Reg. 367/11, sections 138 & 139
June 2012



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Purpose of the Review Panel

Households receiving or applying for rent-geared-to-income (RGI) assistance or special needs housing have the legislated right to appeal certain decisions related to eligibility for assistance, eligibility for special needs housing, unit size, priority category, and rent payable. The City of St. Thomas, as Service Manager for St. Thomas and Elgin County, must ensure that a fair and impartial system for dealing with such appeals is established. The Review Panel has been established for this purpose.

This policy document describes the Review Panel process which has been established collaboratively with Housing Providers and the Housing Applications Centre to provide an avenue for hearing review requests in an objective and professional manner.

Selection of Panel Members

The following Housing Providers shall nominate one representative each to sit on the Review Panel:

1. Elgin and St. Thomas Housing Corporation
2. EFBC Non-Profit Housing Corporation
3. Meadowdale Community Housing Co-operative
4. Pinafore Station Co-operative Homes
5. Elmview Estates Housing Co-operative
6. Troy Village Co-operative Housing
7. Kiwanis Non-Profit Homes of Rodney
8. Dutton & District Lions Non-Profit Housing
9. Menno Lodge of Aylmer
10. Port Burwell Family Residences
11. Port Burwell Non-Profit Housing Corporation

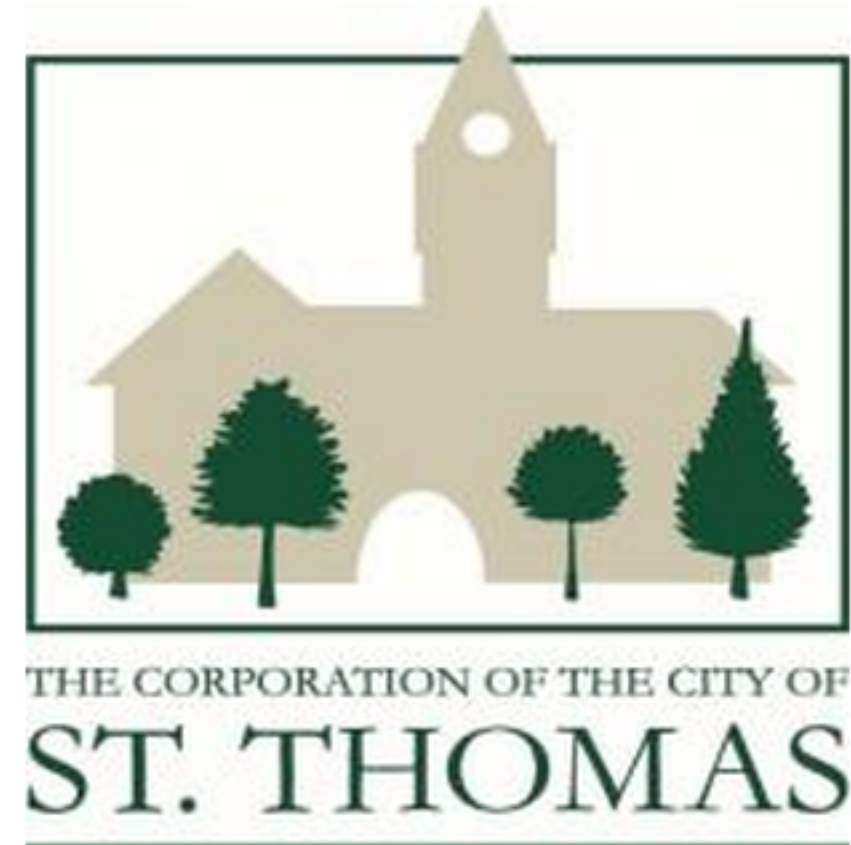
The Housing Providers shall submit the name and contact information of the representative to the Housing Services Administrator.

The representative must be a staff member or property manager who is knowledgeable about the provisions of the *Housing Services Act 2011*, the associated regulations, and rent-geared-to-income calculations.

A substitute may be nominated by the Housing Provider if the primary representative is not available on the date the Review Panel meeting has been scheduled.

What appeals does the Review Panel hear?

The Review Panel hears appeal requests from rent-geared-to-income and special needs households of the following decisions made by Housing Providers, Special Needs Housing Administrators, or the Housing Applications Centre:



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1. eligibility for rent-geared-to-income assistance
2. the size and type of RGI unit
3. the RGI waiting list priority category
4. the amount of RGI rent payable
5. cessation of RGI eligibility
6. eligibility for special needs housing applicants
7. the waiting list priority category for special needs households
8. cessation of eligibility for special needs households
9. other decisions subsequently prescribed by legislation

How does a household request an appeal?

When a Housing Provider, Special Needs Housing Administrator, or the Housing Applications Centre make a decision in any of the above categories, the Housing Provider, Special Needs Housing Administrator or Housing Applications Centre shall notify the household in writing of the decision.

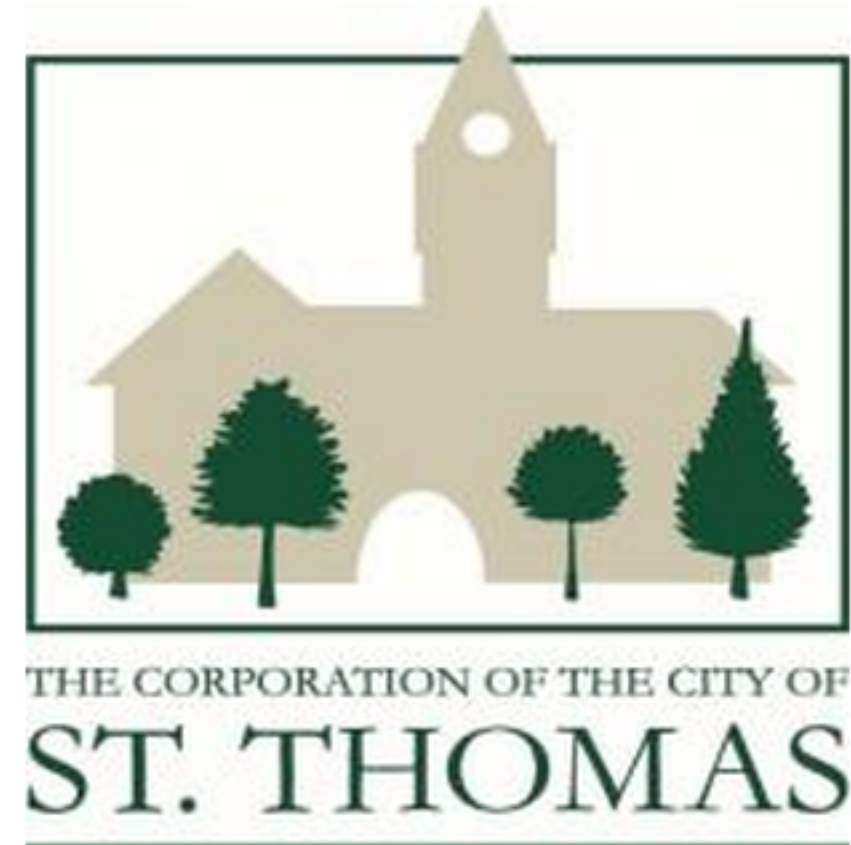
The written notification must include information about the household's right to request a review of the decision within ten business days of the date of the Housing Provider's/Administrator/Application Centre's written notification of the decision. The written notification must also provide instructions on how to request an appeal.

A household must request a review of a decision in writing. The written request, along with a copy of the original decision letter from the Housing Applications Centre, Special Needs Administrator or Housing Provider, must be submitted to the Housing Services Administrator by email, fax, postal service, courier, or by hand delivery. If requested, the Housing Provider, Special Needs Administrator or Housing Applications Centre must provide the Housing Services Administrator's contact information to the household which is making the request to review the decision.

If the original decision was made by the Housing Applications Centre, the "Request for Review" form may be used by the household requesting a review. (See "Centralized Waiting List Procedures Manual", appendices 1 and 3). If the original decision was made by a Housing Provider or Special Needs Administrator, the household may use an appeals request form provided by the Housing Provider/Administrator.

Alternatively, the household may submit a written request which provides the following information:

- (a) the name of the person making the request
- (b) the address of the person making the request
- (c) phone number of the person making the request
- (d) the reasons for requesting a review
- (e) the signature of the person making the request
- (f) the date the request was made
- (g) a copy of the original decision letter from the Housing Applications Centre, Housing Provider, or Special Needs Administrator.



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What happens when an appeal request is received by the Housing Services Administrator?

When a request for a review is received by the Housing Services Administrator, the Housing Services Administrator will contact the household which has requested the review to discuss a suitable date, time, and location for the hearing. The hearing should be held within ten business days of the date of the review request, however the household may voluntarily select a date which is later than ten business days but no longer than 30 days after the date of the review request.

The Housing Services Administrator and household will mutually establish a date, time, and location to hear the review request, as well as one or two alternate dates.

The Housing Services Administrator will notify the party that made the decision being reviewed of the date, time, and location of the review request hearing and alternate dates. A final date for the hearing will be established.

The Housing Services Administrator will contact representatives from the list of nominees by email, ensuring that no individual who participated in making the decision being appealed will participate in the review as a member of the Review Panel. From the nominees who indicate their availability for the hearing, a Review Panel consisting of three representatives will be selected by the Housing Services Administrator.

The Housing Services Administrator will confirm the hearing date, time, and location with all parties to the hearing.

The Housing Services Administrator will attempt to ensure that representation on the Review Panel is rotated so that each representative participates equally, however driving distance from the hearing location will be taken into consideration when selecting panel members.

Representatives may volunteer to sit on the Review Panel as often as they wish.

What documentation is required at the hearing?

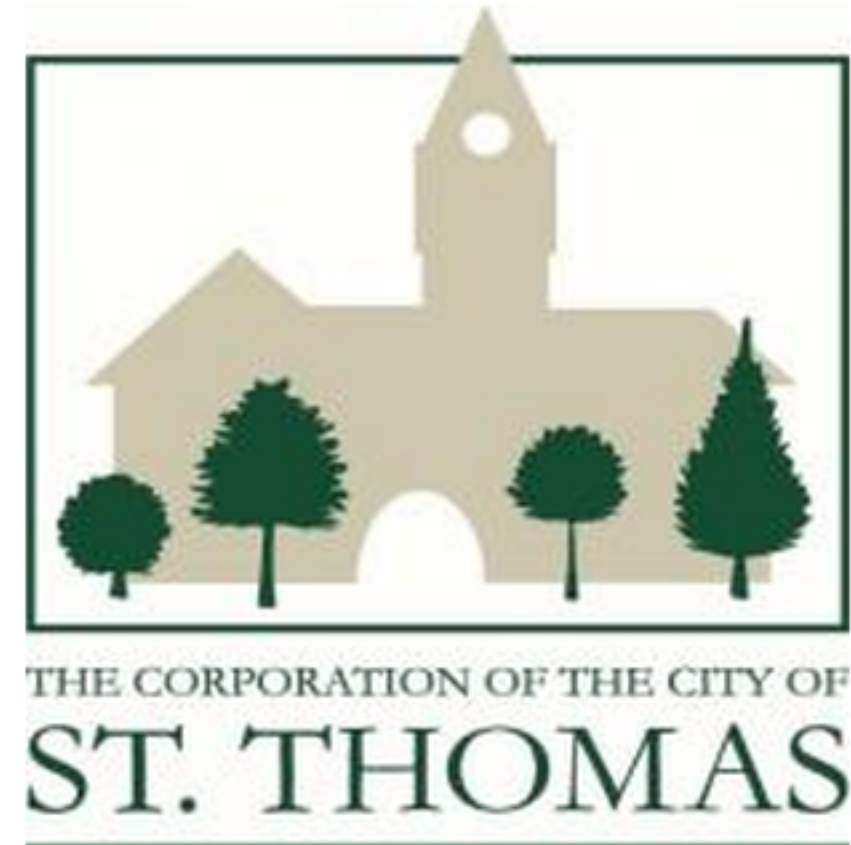
The Housing Services Administrator will invite both parties in the hearing to bring three copies of any relevant documentation to the hearing to support their case. The three copies will be distributed to the members of the Review Panel at the hearing.

Who attends the hearing?

1. The household requesting the review and/or a representative(s) – up to three people in total
2. Up to three representatives of the body that made the original decision
3. Three members of the Review Panel
4. The Housing Services Administrator (optional).

What happens at the hearing?

The household requesting the review will have an opportunity to present information to the Review Panel to support his/her request for a review of the original decision.



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The Housing Provider/Applications Centre/Special Needs Administrator representative will have an opportunity to present information to the Review Panel to support the original decision.

The Review Panel will have an opportunity to ask questions of either party for clarification or to gather additional information.

It is expected that all relevant information will be made available to the Review Panel at the hearing to permit the Panel to make a decision on the day of the hearing.

After the hearing, the Review Panel will convene privately to discuss the findings and make its final decision.

The Panel may, under exceptional circumstances, request additional information to be provided at a later date in order to assist with its final decision. In that event, Panel members will consult with each other by phone or email at a later date to finalize their decision, as long as the required timelines are followed.

Impartiality and confidentiality requirements

Members of the Review Panel may not discuss the circumstances of the review request with each other or with representatives from either party prior to the hearing.

Members of the Review Panel may not discuss or share any information or details arising out of any hearing with anyone outside of the Panel process before or after the hearing.

Rights of the Review Panel

The Review Panel may

- (a) endorse the original decision, or
- (b) substitute its decision for the decision that was reviewed.

The Panel may establish an effective date for their decision. This date may be on a date specified by the Panel, or as of a date before the decision is made. Further reference should be made to the *Housing Services Act 2011*, Regulation 367/11, section 139.

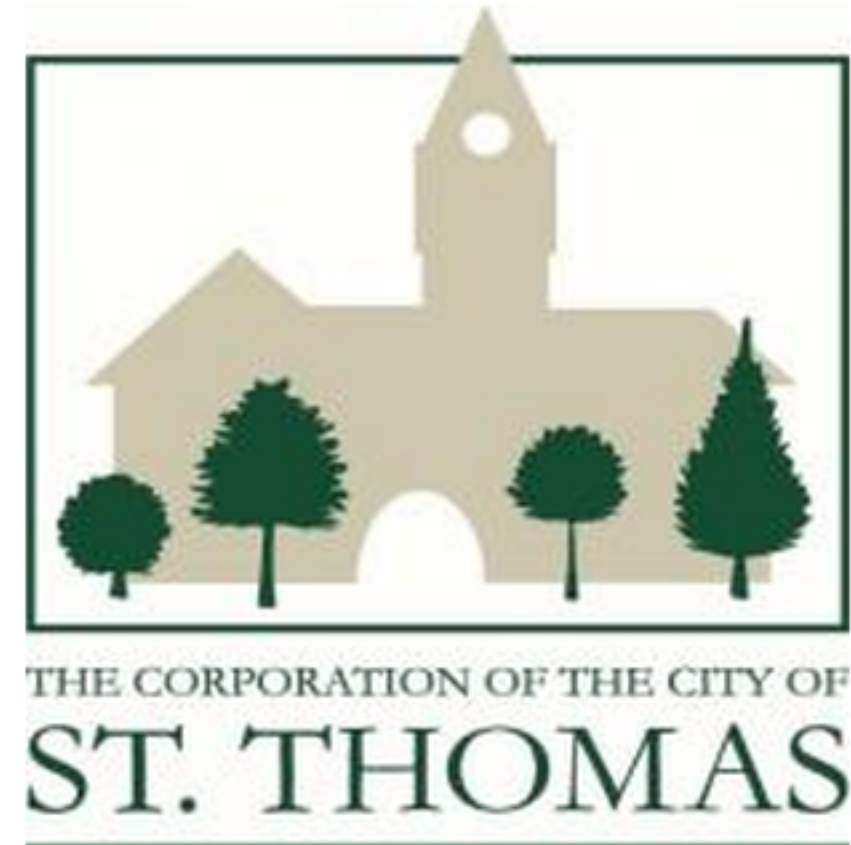
The decision of the Review Panel is final.

Notification of final decision

The Review Panel will appoint one member to prepare a written notification letter on behalf of the Panel.

The written notification should state the decision of the Review Panel, the effective date (if required), and the Panel's reasons for making the decision.

Within five business days of the hearing, the Review Panel will forward the written notification to:



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- (a) The person or household who requested the review

and copies of the written notification should be forwarded to:

- (b) The body that made the original decision under review, and
- (c) Any Housing Provider who was previously given written notice of the original decision, if the original decision was changed
- (d) The Housing Services Administrator.

Notice of the decision of the Review Panel must not be given to any other member of the household other than the member or members who requested the review.

Timelines Summary

A household is allowed **ten business days** from the date of the original decision **to submit a written request** for a review.

The **review must be held within ten business days** of the date the review request was made.

The **written decision** of the Review Panel must be submitted to the household making the request, and others as outlined above, **within five business days** of the Review Panel meeting.

The decision of the Review Panel is final.