

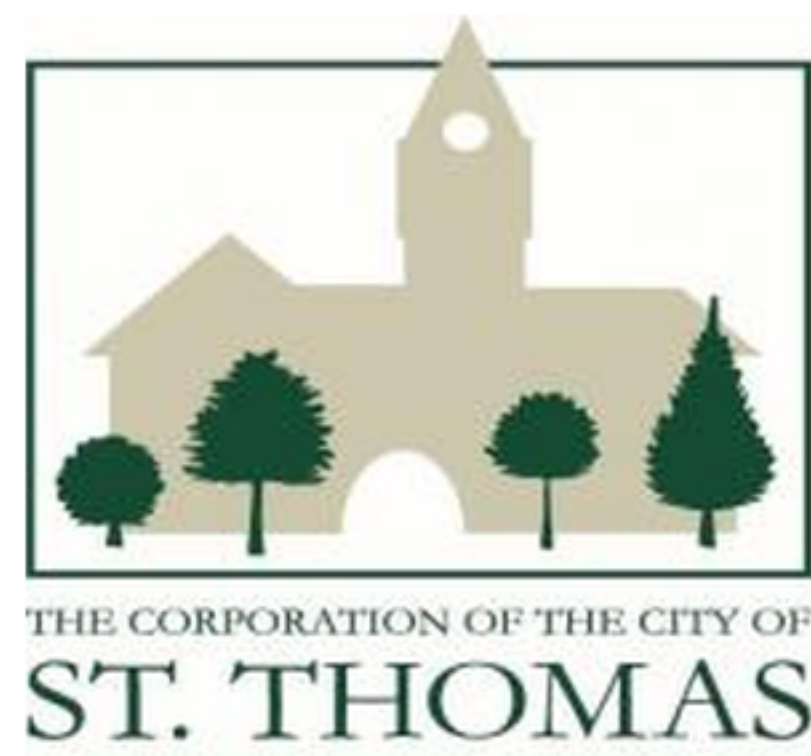
SPECIAL NEEDS HOUSING – POLICY & PROCEDURES



St. Thomas and Elgin County
Per *Housing Services Act 2011*, sec. 38-39, 59-67 and Reg. 367/11 sec. 17-18, 68-85
June 2012

Contents:

Page 2	What is Special Needs Housing?
Page 2	Who are Special Needs Housing Administrators?
Page 3	Who is eligible for Special Needs Housing?
Page 3	How do households apply for Special Needs Housing?
Page 4	What happens when a Special Needs Housing applicant also requires RGI assistance?
Page 4	What written notification must be given to the applicant?
Page 4	What happens if a Special Needs applicant appeals an eligibility decision of the Special Needs Housing administrator?
Page 5	Are there separate waiting lists for Special Needs Housing?
Page 5	Rules for Special Needs waiting lists
Page 5	How are Special Needs applicants selected from the Special Needs waiting lists?
Page 6	Are there any priority rules for Special Needs housing?
Page 6	When can a housing provider refuse to offer a Special Needs unit?
Page 7	Notification of changes regarding Special Needs housing
Page 7	When does eligibility for Special Needs housing cease?
Page 8	How often should eligibility for Special Needs housing be reviewed?
Page 8	What happens when a decision is made that a household is no longer eligible for Special Needs housing?
Page 9	What happens if a Special Needs applicant appeals a decision of the Special Needs housing administrator?
Page 9	What information must be made available to the public about Special Needs Housing?



SPECIAL NEEDS HOUSING – POLICY & PROCEDURES



St. Thomas and Elgin County
Per *Housing Services Act 2011*, sec. 38-39, 59-67 and Reg. 367/11 sec. 17-18, 68-85
June 2012

What is Special Needs Housing? – HSA section 38

Special Needs Housing refers to units that have:

1. Accessibility modifications, or
2. In house provincially-funded support services provided by an outside agency to permit tenants or members to live independently in the community.

Special Needs units may be filled by either rent-geared-to-income households or market households.

Who are Special Needs Housing Administrators? – HSA section 38-39 & Reg. 367/11, sec. 17-18

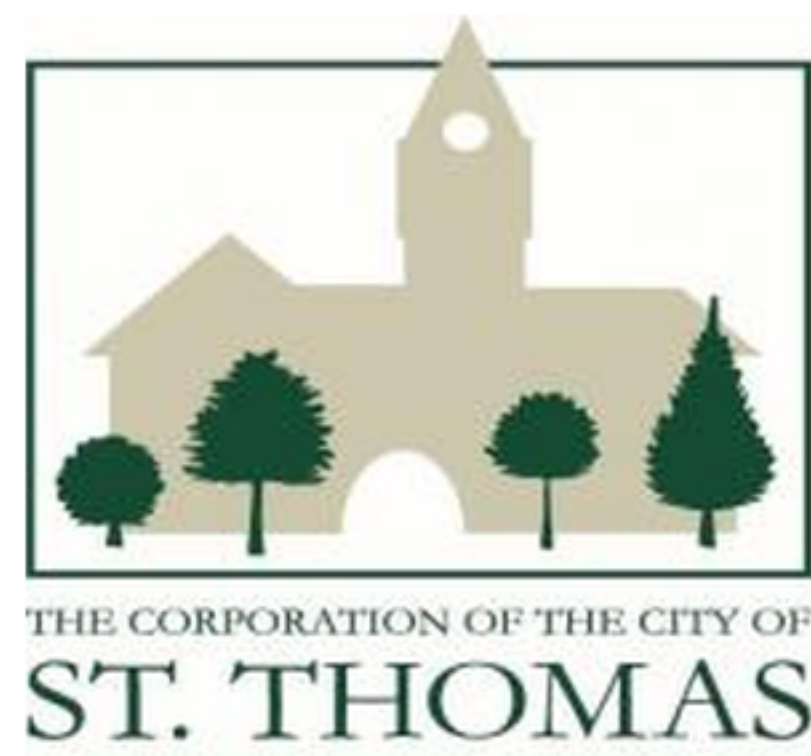
The following housing providers are Special Needs Housing Administrators:

1. For housing providers with units which have been modified for accessibility, the City of St. Thomas*, as Service Manager for the St. Thomas – Elgin Service Area, is the designated Special Needs Housing Administrator prescribed in the *Housing Services Act 2011*.

Note * - under Service Agreements between the City of St. Thomas and Housing Providers operating certain prescribed programs, legislated duties and responsibilities of Special Needs Housing Administrators under the *Housing Services Act* have been transferred from the City of St. Thomas to the following Housing Providers:

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

2. For housing providers which provide supported housing, the following housing providers are deemed to be Special Needs Housing Administrators per Reg. 367/11 Schedule 3:



SPECIAL NEEDS HOUSING – POLICY & PROCEDURES



St. Thomas and Elgin County
Per *Housing Services Act 2011*, sec. 38-39, 59-67 and Reg. 367/11 sec. 17-18, 68-85
June 2012

Housing Provider	Support Agency	# of supportive units	Type of support
Dutton & District Lions Non Profit Housing Corporation	West Elgin Community Health Centre	6	Frail elderly daily living supports
Elgin and St. Thomas Housing Corporation	Cheshire Homes, London	7	Disability supports

Who is eligible for Special Needs Housing? – *HSA, section 59 & Reg. 367/11, sec. 69*

For a household to be eligible for Special Needs Housing, at least one member of the household must require accessibility modifications or require provincially-funded support services in order to live independently in the community.

If a household with one or more members who required provincially-funded support services has been determined to be eligible for Special Needs Housing, the household does not cease to be eligible for Special Needs Housing unless all such members have permanently recovered from the condition that necessitated the provision of those services.

How do households apply for Special Needs Housing? – *HSA, section 60-61 & Reg. 367/11, sec. 72- 73*

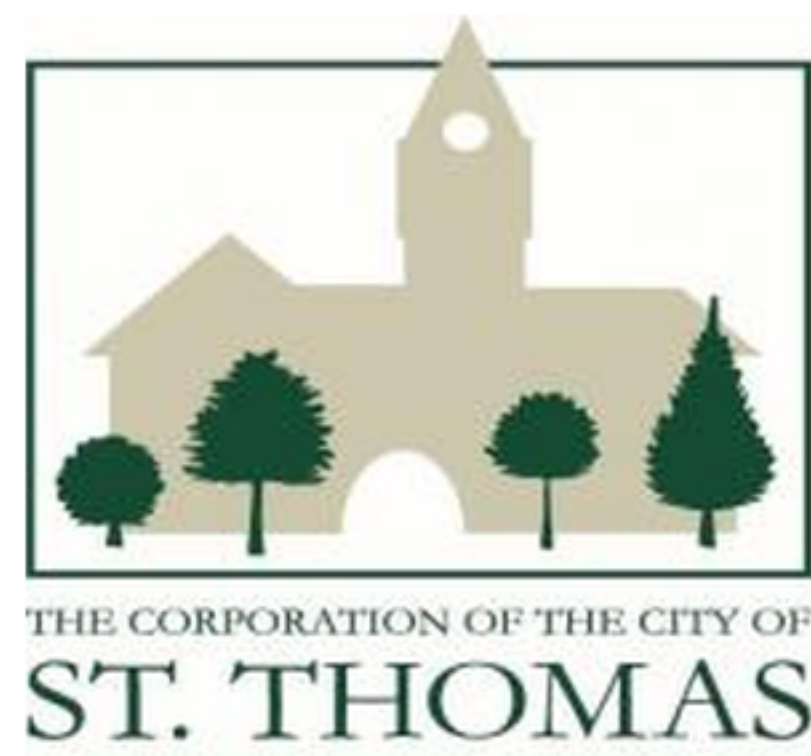
Special Needs Housing applicants must apply directly to the Special Needs Housing Administrator for Special Needs Housing. The Special Needs Housing Administrator shall determine whether the household is eligible for Special Needs Housing.

Special Needs Housing applicants should apply for Special Needs Housing using a form authorized by the Special Needs Housing Administrator. For modified units, the Special Needs Housing Administrator may opt to use the standard application form for subsidized housing. For supportive units, the Special Needs Housing Administrator may permit the agency which provides support services to use its own application form.

Special Needs Housing Administrators may enter into written agreements with other agencies or corporations to process applications on their behalf.

Whether Special Needs Housing Administrators process applications themselves or enter into agreements to delegate the duties, the following prescribed requirements must be met:

- (a) The Administrator shall not require a person to provide information or documents if the administrator is satisfied that the person is unable to do so.
- (b) The Administrator shall not require information or documents with respect to an application that includes a request for inclusion in the special priority household category if the member of the household making the request believes that he or she or any other member of the household will be at risk of being abused by the abusing individual if he or she attempts to obtain the information or documents.



SPECIAL NEEDS HOUSING – POLICY & PROCEDURES



St. Thomas and Elgin County
Per Housing Services Act 2011, sec. 38-39, 59-67 and Reg. 367/11 sec. 17-18, 68-85
June 2012

- (c) If the Special Needs Housing Administrator determines that an application is not complete, the Administrator shall notify the household, within fourteen calendar days, of what is necessary to complete the application.
- (d) If an application includes a request for inclusion in the special priority household category, the Special Needs Housing Administrator shall notify only the member of the household who made the application but not any other member of the household.
- (e) Once an application is complete, the Special Needs Housing Administrator shall notify the applicant in writing, within fourteen calendar days, whether the household is eligible for Special Needs Housing.
- (f) For applications that include a request for inclusion in the special priority household category, the Special Needs Housing Administrator shall determine, within 14 calendar days after the application is complete, whether the request would be granted, and, if it would be, the Administrator shall also determine, within 14 calendar days after the application is complete, whether the household is eligible for Special Needs Housing.

What happens when a Special Needs Housing applicant also requires RGI assistance?

Special Needs Housing applicants who require rent-geared-to-income assistance must be assessed for RGI eligibility by the Housing Applications Centre. The application will be added to the Centralized Waiting List and identified as requiring a modified or supportive unit. The Special Needs Housing Administrator must confirm to the Housing Applications Centre that the applicant has been deemed eligible for Special Needs Housing, by way of a letter or email.

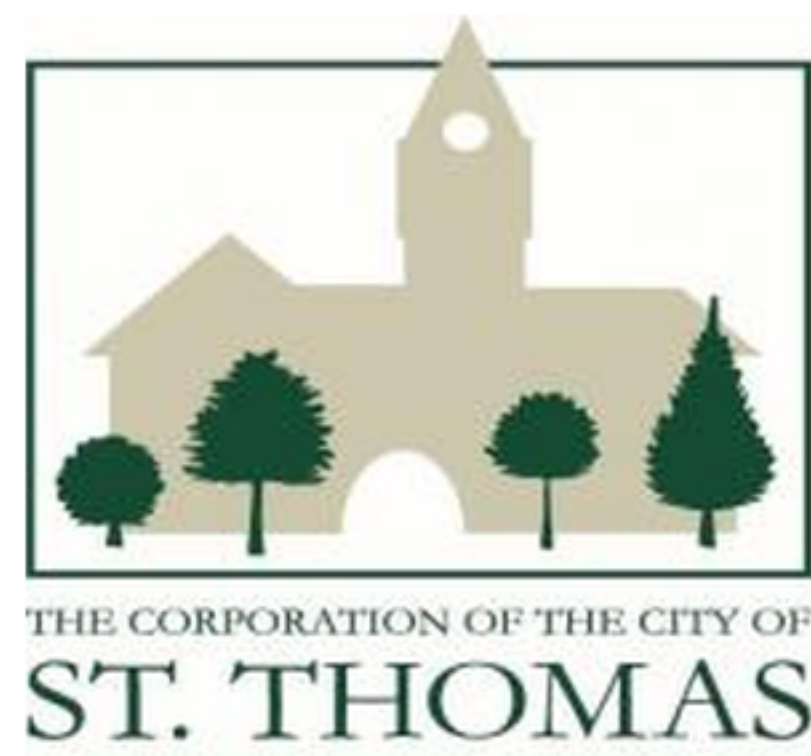
What written notification must be given to the applicant? – HSA section 66 & Reg. 367/11 sec. 82

Within 14 calendar days after the decision is made, a Special Needs Housing Administrator must give an applicant written notice of the following:

1. A determination that the household is eligible for Special Needs Housing
2. A determination that the household is included in a special priority category
3. A statement of the reasons for the decision
4. A statement of the date of the decision
5. A statement that the applicant may request a review of the decision
6. Information on how to request a review and what the deadline is for doing so

What happens if a Special Needs applicant appeals an eligibility decision of the Special Needs Housing Administrator?

See "[Review Panel - Policy & Procedures](#)".



SPECIAL NEEDS HOUSING – POLICY & PROCEDURES



St. Thomas and Elgin County
Per *Housing Services Act 2011*, sec. 38-39, 59-67 and Reg. 367/11 sec. 17-18, 68-85
June 2012

Are there separate waiting lists for Special Needs Housing? – *HSA section 62 & Reg. 367/11, sec. 74*

A Special Needs Housing Administrator shall develop a waiting list system for selecting households from those eligible applicants who are waiting for Special Needs Housing units in the Administrator's housing projects.

Special Needs Housing Administrators may enter into written agreements with other agencies or corporations to maintain waiting lists for Special Needs Housing applicants as long as the agreements comply with prescribed requirements.

Rules for Special Needs waiting lists – *HSA section 62 & Reg. 367/11, sec. 75*

Once the Special Needs Administrator has determined an applicant's eligibility for Special Needs Housing, the household shall be added to the waiting list for each project for which the household has indicated a preference, in accordance with local *RGI Occupancy Standards*.

A household shall also be added to the waiting list if the household already occupies a Special Needs unit in the Administrator's housing projects and has applied for a transfer to another Special Needs unit in the housing project to which the list relates. The application will be backdated to the date the household moved into the Administrator's housing project. The Special Needs Administrator shall authorize the form and type of information required for transfer applications.

For current households occupying a unit at a housing provider who wish to apply for a Special Needs unit at the same housing provider, the household, if eligible, will be added to the Special Needs waiting list, with the application backdated to the date the household moved into the housing project.

A household shall be removed from the list if:

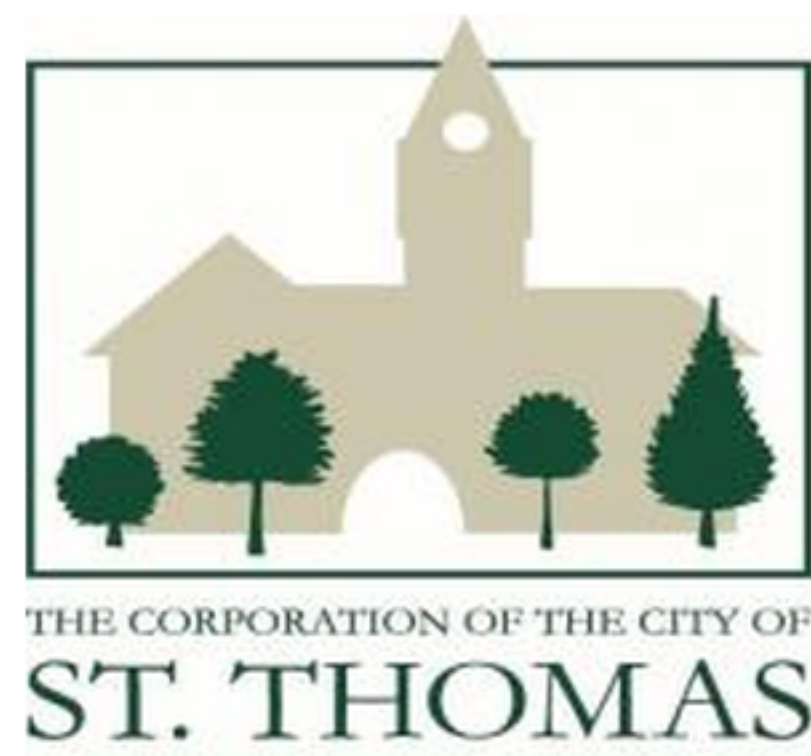
- (i) The household requests to be removed
- (ii) The household ceases to be eligible for Special Needs Housing
- (iii) The household has accepted an offer of Special Needs Housing in the Administrator's housing projects.

The Administrator shall determine at least once every 12 months whether a household that is on the list is still eligible for Special Needs Housing.

How are Special Needs applicants selected from the Special Needs waiting lists? – *HSA section 64 & Reg. 367/11, sec. 76*

Special Needs households should be offered housing in accordance with provincial and local priority rules.

The Special Needs Administrator shall offer housing to applicants on Special Needs waiting lists:



SPECIAL NEEDS HOUSING – POLICY & PROCEDURES



St. Thomas and Elgin County
Per *Housing Services Act 2011*, sec. 38-39, 59-67 and Reg. 367/11 sec. 17-18, 68-85
June 2012

- (a) To Special Priority applicants first, then in chronological order, in accordance with the *Applicant Selection Procedures Manual*, for rent-gear-to-income households applying for modified units with housing providers listed in Table 1
- (b) In accordance with the support agency's selection procedures, for households applying for supportive housing units with housing providers listed in Table 2*.

Note* - An agreement between the housing providers in Table 2 and the agencies which provide provincially-funded support services should outline the process for selecting applicants that aligns with housing providers' Target Plans and rights of refusal.

Units with accessibility modifications may only be occupied by households that require accessibility modifications.

If the housing provider provides provincially-funded support services in respect of a unit, the unit may only be offered to households who require those support services.

If a housing provider provides provincially-funded support services in respect of a unit and the unit has accessibility modifications, the housing provider must select a household that requires both those services and those modifications.

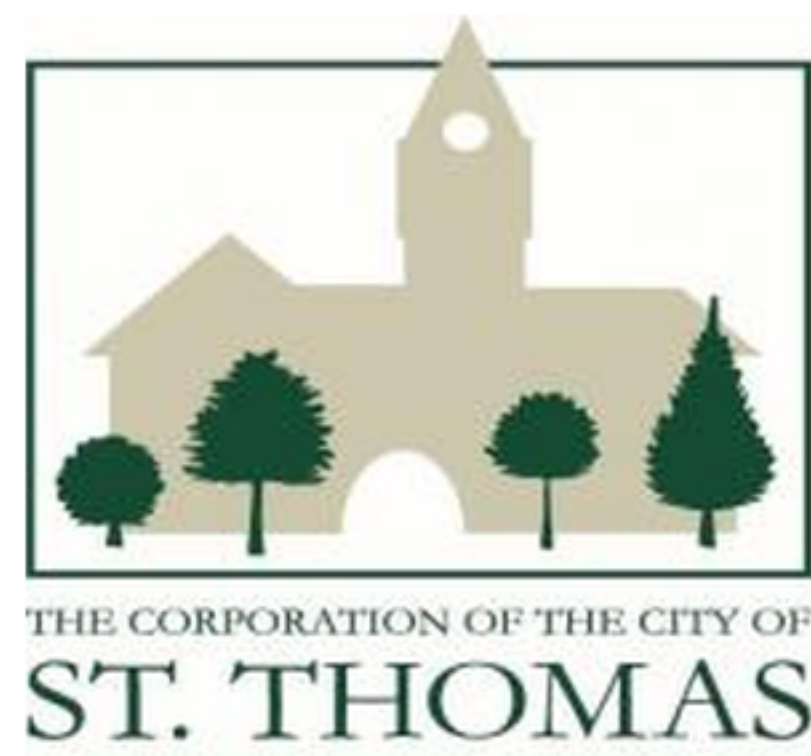
Are there any priority rules for Special Needs housing? – *HSA section 63 & Reg. 367/11, sec. 78-79*

The provincially-prescribed Special Priority rules for victims of domestic violence outlined in Reg. 367/11 sections 54 to 58 are applicable to Special Needs Housing applicants. Any references in the rules to the "Service Manager" are deemed to be references to the "Special Needs Housing Administrator". Any references to "rent-gear-to-income assistance" are deemed to be references to "Special Needs Housing".

When can a housing provider refuse to offer a Special Needs unit? – *Reg.367/11, sec. 77*

A Special Needs Housing provider may refuse to offer a unit to a Special Needs applicant if:

1. The housing provider has a mandate under section 76 of the *Housing Services Act* and offering the unit to the household would be contrary to that mandate. (This is applicable to two housing providers only – Dutton & District Lions Non-Profit Housing Corporation and Kiwanis Non-Profit Homes of Rodney – with "seniors" mandates. The providers may restrict housing to people aged 65 and over.)
2. The housing provider has reasonable grounds to believe, based on the household's rental history, that the household may fail to fulfill its obligations to pay rent for the unit in the amount and at the times the rent is due.
3. The housing provider is a non-profit housing co-operative and the household does not agree to accept its responsibilities as a member of the housing provider or the housing provider has reasonable grounds to believe that the household will not accept or will be unable to accept those responsibilities.



SPECIAL NEEDS HOUSING – POLICY & PROCEDURES



St. Thomas and Elgin County
Per *Housing Services Act 2011*, sec. 38-39, 59-67 and Reg. 367/11 sec. 17-18, 68-85
June 2012

4. The unit is one in which individuals will reside in a shared living situation and the housing provider has reasonable grounds to believe that it is unreasonable for the household to reside in the shared accommodation.
5. The level of support services that are provided in respect of the unit is significantly greater or significantly less than the level of support services required by the household.

If a Special Needs Housing provider refuses to make an offer of housing based on the above reasons, the housing provider shall notify the household of the refusal in writing and if requested by the household, the housing provider shall arrange for an independent review of the decision to refuse to make the offer. (See “What is the process when an applicant appeals a Housing Provider’s refusal to offer a unit?” in the *Applicant Selection Procedures Manual*.)

Notification of changes regarding Special Needs Housing – Reg. 367/11, sec. 70

The household shall notify the Special Needs Housing Administrator of any change to any information or document that the household previously provided to the Special Needs Housing Administrator for the purpose of determining the household’s eligibility for Special Needs Housing.

Notification of a change must be given to the Special Needs Housing Administrator within 30 days after the change or within such longer period after the change as the Administrator may establish.

The Special Needs Housing Administrator may extend the period of time for notifying the Administrator, either before or after the period has expired.

For a change to a document, the household shall provide a copy of the changed document.

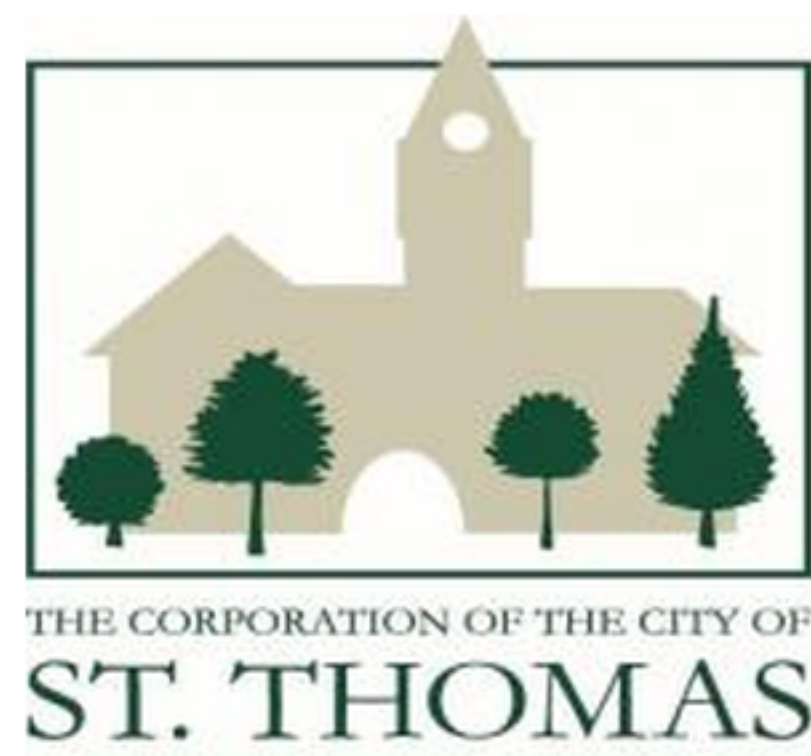
For a change to information, the household shall provide a notice setting out the change.

Despite the above, the Special Needs Housing Administrator may determine that the household remains eligible if the Administrator is satisfied there are extenuating circumstances.

When does eligibility for Special Needs Housing cease? – Reg. 367/11, sec. 71

A household ceases to be eligible for Special Needs Housing if the household fails to notify the Special Needs Housing Administrator of a change to any information or document that the household previously provided to the Special Needs Housing Administrator and that the household was required to provide for the purpose of determining the household’s eligibility or continued eligibility for Special Needs Housing.

A household that has been determined to be eligible for Special Needs Housing ceases to be eligible if the household fails to provide information requested by the Special Needs Housing Administrator for the purpose of determining continued eligibility for Special Needs Housing.



SPECIAL NEEDS HOUSING – POLICY & PROCEDURES



St. Thomas and Elgin County
Per *Housing Services Act 2011*, sec. 38-39, 59-67 and Reg. 367/11 sec. 17-18, 68-85
June 2012

Despite the above, the Special Needs Housing Administrator may determine that the household remains eligible if the Administrator is satisfied there are extenuating circumstances.

How often should eligibility for Special Needs Housing be reviewed? – *HSA section 65 & Reg. 367/11, sec. 80-81*

At least once every 12 months after the date a Special Needs household began to occupy a unit, the Special Needs Housing Administrator should review the household's continuing eligibility for the Special Needs unit, or at such other times as the Administrator deems to be appropriate.

The Administrator shall not require a person to provide information or documents if the Administrator is satisfied that the person is unable to do so.

The Administrator shall not require a person to provide information or documents if the Administrator is satisfied that the information and documents previously provided are adequate to determine that the household continues to be eligible for Special Needs Housing.

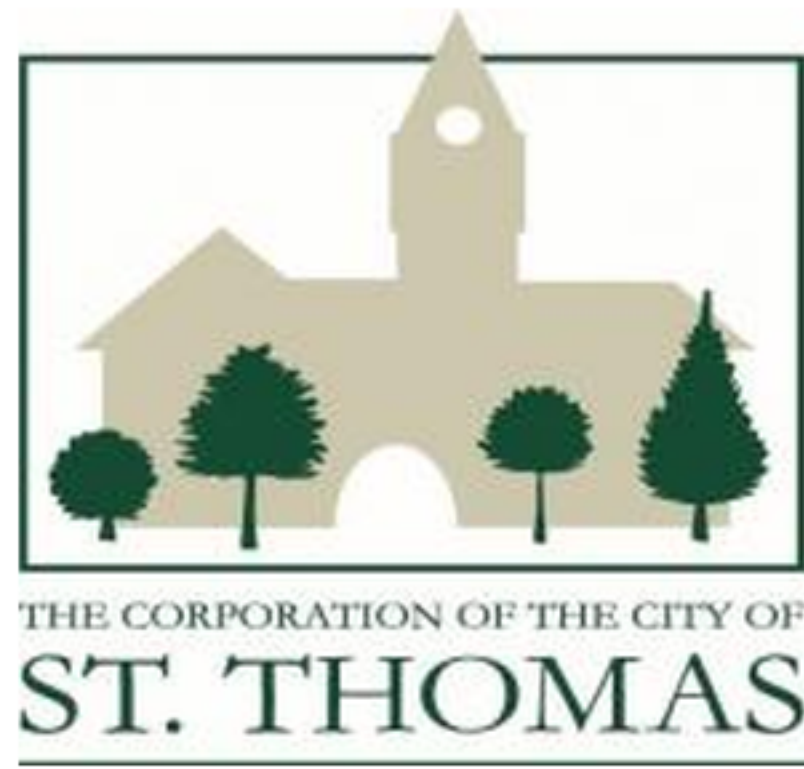
The Administrator shall not require information or documents with respect to a household that was in the special priority household category when the household began to occupy Special Needs housing if a member of the household believes that he or she or any other member of the household will be at risk of being abused by the abusing individual if he or she attempts to obtain the information or documents.

What happens when a decision is made that a household is no longer eligible for Special Needs housing? – *HSA section 66 & Reg. 367/11 sec. 82*

As soon as possible after making the determination, a Special Needs Housing Administrator must give an applicant written notice of the following:

1. A determination that the household is no longer eligible for Special Needs Housing
2. A statement of the reasons for the decision
3. A statement of the date of the decision
4. Consequences of the decision*
5. A statement that the applicant may request a review of the decision
6. Information on how to request a review and what the deadline is for doing so

Note* - For modified units, Special Needs Housing Administrators should include a clause in the lease agreement or occupancy agreement stating that only eligible applicants who need the accessibility modifications are entitled to occupy modified units, under the authority of the *Housing Services Act*, Reg. 367/11 section 76. As a consequence of no longer qualifying for the modified unit, RGI households will be placed on the central waiting list for all regular units of the correct size. Households will be permitted three rights of refusal. Housing Providers should work with market households to facilitate a transfer to a non-modified unit as soon as possible. For



SPECIAL NEEDS HOUSING – POLICY & PROCEDURES



St. Thomas and Elgin County
Per Housing Services Act 2011, sec. 38-39, 59-67 and Reg. 367/11 sec. 17-18, 68-85
June 2012

supportive Special Needs housing, the consequence of no longer qualifying for support services is the withdrawal of the support services. The household will not be required to move from the unit.

What happens if a Special Needs applicant appeals a decision of the Special Needs Housing Administrator following a review of eligibility?

See "Review Panel - Policy & Procedures".

What information must be made available to the public about Special Needs Housing? – HSA section 67 & Reg. 367/11, sec. 83-85

Special Needs Housing Administrators must make the following information available to the public:

1. The procedures for applications for Special Needs Housing, including the application form and what information and documents the administrator requires
2. The rules for selecting Special Needs households
3. Information on the Special Needs Housing Administrator's housing projects where Special Needs Housing is available
4. Information about the provincial eligibility rules for Special Needs Housing
5. Information about the provincial priority rules
6. Other information prescribed under the *HSA* in the future.

The information must be made available:

- (a) By allowing members of the public, during normal business hours, to inspect and copy the information at their own expense
- (b) If the administrator is the Service Manager, by posting the information on the Internet.