

# Northumberland County Community Housing Directives

Housing Services Division

555 Courthouse Road

Cobourg, Ontario K9A 5J6

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**Subject: Centralized Waitlist Rules**

**Directive Number: 2021-12**

**Effective Date: Upon issuance, October 18, 2023**

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## Intent

To set out the rules for the selection of households from the centralized waitlist for rent-geared-to-income (RGI) and modified housing units.

## Background

Under the Housing Services Act, 2011 (HSA), the Service Manager must have a system for selecting households waiting for RGI or modified units with community housing providers in Northumberland County. This system must comply with provincial requirements and include:

- Rules for determining when a vacant unit should be offered to an RGI applicant
- Priority rules
- Rules governing the selection of households for RGI units.

## General Rules

Northumberland County Housing Services administers the waitlist for RGI and modified units. The centralized waitlist is comprised of:

- Applicants for RGI units
- Applicants for modified units
- Current RGI tenants and co-op members requesting transfer to a different housing provider
- Current tenants and co-op members in modified units or RGI units requesting transfer to a modified unit with a different housing provider
- Current tenants or co-op members in RGI or modified units who want to transfer to a different unit with their current housing provider, but who are ineligible to be placed on the provider's internal transfer list

All applicants must complete the Application for Rent-Geared-to-Income (RGI) Form. This form is available from Northumberland County Housing Services and on Northumberland County's website.

Only applicants who have been determined eligible for RGI and/or a modified unit are placed on the waitlist. Applicants will be removed from the centralized waitlist if they:

- Become ineligible for RGI and/or a modified unit
- Refuse **one** offer of housing
- Accept an offer of RGI or a modified unit from a housing provider in Northumberland County
- Accept an offer of a portable housing benefit within or outside of Northumberland County
- Request to be removed from the centralized waitlist

Northumberland County may consider additional offers in extenuating circumstances.

## Priority on the Centralized Waitlist

Most applicants are placed on the centralized waitlist according to the date that they applied for an RGI or modified unit or requested transfer to a different unit. Applicants with earlier application dates have higher priority on the centralized waitlist.

Additionally, there are two categories of applicants on the centralized waitlist who have higher priority than applicants outside these categories. The two categories, in order of priority, are:

- Special Priority (SPP) – victims of human trafficking or domestic violence. These applicants are placed in the SPP category according to the date they applied for SPP.
- Overhoused – RGI tenants and co-op members who have been placed on the centralized waitlist to move to a smaller unit. These applicants are placed in the Urgent category according to the date they were first overhoused.

Overhoused transfer applicants may be offered RGI before all other applicants on the centralized waitlist only if there are no SPP applicants at their current property requesting transfer to another provider.

## Applying for Buildings With 65+ Age Requirement

Applicants who are interested in applying for buildings that are deemed 65 years of age or older, may add those buildings to their building preferences once they turn 60 years of age or older.

Applicants **will not** be offered housing in buildings unless they have reached the age requirement set for that building.

## Eligibility Reviews and Verification

Northumberland County Housing Services reviews eligibility of applicants for RGI and/or modified units at the time of application and every 24 months thereafter.

Northumberland County may request verification documentation as required at any eligibility review period.

Eligibility for modified units will be verified at the time of application only, or if the applicant declares a change in circumstances.

Arrears and repayment agreements on the local and provincial arrears databases are verified at the time of application and before being offered housing.

Northumberland County will monitor and verify changes to status in Canada of refugees and applicants for permanent residence status.

Applicants are responsible for keeping their file up to date. They must contact Northumberland County Housing Services within 30 days if:

- Their address changes

- Their phone number changes
- The number of people on their application changes
- The contact information on their application changes
- They want to change building selections on their application

## **Application Update**

Every 24 months from the last application update, applicants will be mailed an “Application Update” form to ensure that the information on file is accurate. Applicants can complete the form and mail it back to the office within the time frame specified. Application updates can be completed at any time, as reasonable, between the 24 month period.

If the form is not returned within the time frame specified, Northumberland County Housing Services will call or email the applicant to let them know that their update is due.

If the phone number is out of service or the number has been changed, Northumberland County Housing Services will attempt to locate alternative numbers or secondary contacts for the applicants.

If the Application Update remains incomplete, and no alternative numbers or secondary contacts are available, or we have been unable to reach the applicant, Northumberland County Housing Services will cancel the application.

## **RGI Vacancies**

When a housing provider has a vacancy (other than a vacancy for a modified unit), the housing provider must determine whether the vacancy should be offered to an RGI applicant or to a market rent applicant. The housing provider will compare the number of RGI units in its project, not including the vacant unit, to its RGI target. If the number of RGI units is at or above the target, the vacant unit is offered to a market rent applicant or tenant/co-member requesting transfer.

If the number of RGI units is below the target, the vacant unit is offered to an RGI applicant or RGI transfer applicant. Housing providers will first determine if an RGI vacancy can be offered to a tenant or co-op member on the internal transfer list or

eligible for immediate in-situ RGI before reporting the vacancy to Northumberland County Housing Services.

When filling an RGI unit, Housing Providers are required to first select and offer vacant RGI units to the first household on its internal transfer list in the following chronological order:

- SPP households on the internal transfer list
- Overhoused households on the internal transfer list
- Households requesting a transfer for medical reasons

If there are no eligible households in these categories, the housing provider can then offer the unit to either the first household on the remainder of its internal transfer list, or to the first household on the centralized waitlist, chronologically in accordance with the rules established in the HSA and local policies.

When making an offer of housing, the housing provider must make attempts to contact the first household, and where possible, provide a timeframe for a response. Housing providers should attempt contact, a minimum of 3 times and provide the household with a minimum of 3 business days to respond, prior to offering the unit to the next household.

Upon viewing the unit, the housing provider must also provide the household with a reasonable timeframe to accept the offer of housing (minimum 24 hours). Housing providers must also provide accepting households with appropriate timeframes to exit current tenancies, if applicable (i.e. 60 days).

## **Modified Unit Vacancies**

Vacancies for modified units are offered to applicants or transfer applicants who are eligible for the modification regardless of their eligibility for RGI or the housing provider's RGI target. If the modified unit applicant is also eligible for RGI, the applicant is charged RGI upon moving into the modified unit regardless of the housing provider's RGI target. Housing providers will first determine if a vacant modified unit can be offered to a tenant or co-op member on the internal transfer list before reporting the vacancy to Northumberland County Housing Services.

## Portable Housing Benefits

A portable housing benefit (PHB) is a monthly benefit paid directly to eligible low-income households to bridge the gap between affordable rent and some or all of average market rent. Applicants are selected for the PHB in accordance with the applicable PHB Guidelines.

## Household Applicant Turns Down an Offer

If a household turns an offer of an RGI unit down, the housing provider will document the offer and the reason(s) for the refusal on the Housing Provider Update Form. This form will be submitted to Northumberland County Housing Services, so that the refusal can be recorded, and the waitlist updated.

## Denials/Refusals to Offer

Housing providers may deny/refuse to offer a unit to an applicant referred by Northumberland County Housing Services for the following reasons:

- The vacancy is for a seniors' unit and the household does not qualify
- Based on rental payment history, the housing provider reasonably believes that the applicant may not pay the rent/housing charge on time or in full
- The applicant has been denied membership in the co-operative housing provider with the vacancy
- The vacancy is for shared accommodation and the housing provider believes that it is unreasonable for the applicant to reside in shared accommodation
- In the previous 5 years, the applicant was evicted from community housing under an order of the Landlord and Tenant Board for a serious illegal act, and the housing provider reasonably believes that they pose a risk to the health or safety of someone living at the property with the vacancy. Serious illegal acts include:
  - Production, trafficking, or possession for the purpose of trafficking an illegal drug
  - Illegal production, distribution or sale of cannabis
  - Physical violence or attempted physical violence against another person

- Physical harm, attempted physical harm, or a risk of physical harm to another person
- Human trafficking
- Use of threats to, intimidation of, and harassment of another person

When a housing provider denies/refuses to offer a unit to an applicant for any of the above reasons, it must:

- Notify the applicant of the denial, the reasons for refusal, and their right to appeal the decision
- Notify Northumberland County Housing Services of the denial, which of the above reasons, the denial was made under, and a rationale for this decision.

If housing providers are unsure of their grounds to deny someone a vacant unit, they are encouraged to seek legal advice.

Housing providers can use the “Notice of Refusal to Offer an RGI Unit” template to send to the applicant, and send a copy to Northumberland County Housing Services, along with the Housing Provider Update Form”.

If the applicant appeals the denial, the housing provider is responsible for conducting the review. Housing providers must have procedures for conducting reviews. Housing providers are encouraged to have short timelines for such reviews as they cannot offer the vacant unit to the next applicant on the centralized waitlist until either:

- The time to request the appeal has expired
- The review has been completed.

## **Denials due to RGI or modified unit ineligibility**

The housing provider may also deny/refuse to offer a unit to an applicant for reasons of eligibility if:

- The size of the applicant’s household does not fall within the allowable occupancy standards for the unit
- The vacancy is for an RGI unit, and the applicant is ineligible for RGI
- Based on their income, the applicant would be paying the full market rent for the unit

- The vacancy is for a modified unit, and the applicant does not require the modifications available in the unit.

## **Internal Transfers**

Housing providers are permitted to offer a vacant RGI/modified unit to a current RGI and/or modified unit tenant or co-op member. This is called an internal transfer. Housing providers are responsible for managing their own internal transfer waitlists. Housing providers do not need to notify Northumberland County Housing Services when they transfer an RGI and/or modified unit tenant or co-op member, unless they are also on the centralized waiting list or the housing provider is unsure if they are on the centralized waitlist.

## **In-situ Applicants**

Market paying tenants and co-op members of housing providers can apply for RGI in their current unit directly with their housing provider. This is called an in-situ application.

For more information, please see Northumberland County Community Housing Directives – In-Situ Priority Status 2021-14.

## **RGI Application on “Hold”**

An applicant may request, in writing, to have their application placed on hold (once) for up to one year and maintain their place on the waiting list. Northumberland County Housing Services may request verification along with the request.

## **Unable to Contact Applicant**

Housing Providers may not be able to contact an applicant for selection or to make an offer. This may happen for various reasons such as:

- Contact information the applicant has provided is not correct or current and therefore an offer cannot be made.
- The applicant does not respond to telephone messages or mail sent to them regarding an offer



- The applicant does not attend a scheduled meeting to view a unit, or sign the lease or RGI forms.

When making an offer of housing, the housing provider must make attempts to contact the first household, and where possible, provide a timeframe for a response. Housing providers should attempt contact, a minimum of 3 times and provide the household with a minimum of 3 business days to respond, prior to offering the unit to the next household.

If the phone number is out of service, the housing provider should contact Northumberland County Housing Services to attempt to get alternative contact information, prior to moving onto the next household.

If the Provider has attempted contact a minimum of 3 times but has been unable to contact the first household for any of the above reasons, it will be deemed that the applicant has turned down the unit and the housing provider may select or make an offer to the next person on the waitlist.

The housing provider must notify Northumberland County Housing Services when an offer is deemed to have been refused for any of the above reasons. The housing provider will complete the "Housing Provider Update Form" and send it to Northumberland County Housing Services.

Housing Providers should not determine that an applicant is deemed to have turned down an offer unless the vacant unit has been offered to a second applicant (chronological).

If the applicant household has refused an offer, or been deemed a refusal due to no contact, they will be removed from the centralized waitlist. The applicant will be issued a notice of ineligibility and advised of their right to an internal review/appeal.

## **Communication with Northumberland County Housing Services**

Housing providers are required to promptly notify Northumberland County Housing Services of the following:

- Offers of housing and their outcomes
- Denials or refusals to offer housing
- Move outs
- RGI ineligibility

- changes in transfer status
- Money owed for arrears, damages or misrepresentation by former tenants or co-op members
- changes to telephone numbers or other contact information.

Housing providers should use the “Housing Provider Update Form”.

## **Repealed Rules**

This directive replaces Policy 2008-03 Applicant Preferences and Policy 2013-18 Selection and Offering Rent Geared Income Units

## **Legislative Authority**

Housing Services Act, s. 47-48

Ontario Regulation 367/11, s. 32.2, 45-58, 75-76

If there are any questions please contact the Service Manager for Northumberland County Housing Services at 905-372-3329.