

## Northumberland County Community Housing Directives

Housing Services Division

555 Courthouse Road

Cobourg, Ontario K9A 5J6

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**Subject: Special Priority Status**

**Directive Number: 2021-20**

**Effective Date: Upon issuance, July 1, 2021**

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### Intent

To establish requirements for Special Priority (SPP) status on the centralized waitlist for rent-geared-to-income (RGI) housing for victims of abuse or human trafficking.

### Background

The *Housing Services Act 2011* gives priority ranking to social housing applicants and/or tenants whose personal safety, or whose family's safety is at risk because of abuse by an individual with whom they currently or recently lived, or who is sponsoring the member as an immigrant, or is a victim of human trafficking. The special priority status is to enable the household to separate permanently from the abuser.

Eligible SPP applicants have priority above all other applicants on the centralized waitlist, and any internal waitlist.

SPP applicants are ranked within the SPP priority category according to the date that they applied for SPP.

## **SPP Eligibility**

An applicant may be eligible for SPP status if the applicant or another member of their household:

- Is a current victim of human trafficking or was a victim within the three months preceding their application for SPP
- Is being abused by someone with whom they live and intend to separate permanently from them
- Lived with someone who was abusing them within the three months preceding their application for SPP and intends to separate permanently from them
- Is being abused by their immigration sponsor and intends to separate permanently from them

In order to be eligible for SPP, the person being abused must have lived with the abusive person within the three months preceding the SPP application, and the abusive person must be:

- A relative
- An intimate partner or former intimate partner
- Someone on whom the applicant is emotionally, physically or financially dependent
- Someone who is emotionally, physically or financially dependent on the applicant
- An immigration sponsor

## **Human Trafficking**

Human trafficking means one or more incidents of recruitment, transportation, transfer, harboring or receipt of a person for an illegal purpose, including sexual exploitation or forced labor. It is done by force, abduction, fraud, coercion, deception, repeated provision of a controlled substance, or other improper means.

## **Abuse**

A person has been subject to abuse if they have experienced:

- Physical or sexual violence

- Controlling behavior
- Intentional destruction of or intentional injury to their property
- Words, actions or gestures that threaten them or lead them to fear for their safety

## Co-residency

In order to be eligible for SPP, the person being abused must be living with the abusive person or must have ceased living with the abusive person within three months of the application for SPP.

Proof of co-residency is required. This may be one or more types of documents showing that the person being abused and the abusive person share the same address. Documents must be dated within the last three months. Documents may include currently-dated leases, rent receipts, utility bills, landlord letters, government documents, home or tenant insurance documents, paystubs or employer statements.

SPP applicants receiving social assistance must provide proof of co-residency from Ontario Works or ODSP.

SPP applicants living in community housing must provide proof of co-residency from their community housing provider. The co-residency may or may not have been previously approved by the housing provider, but the provider must have been aware of it at the time to confirm co-residency.

Co-residency requirements do not apply to victims of human trafficking or if the abusive person is the immigration sponsor.

## SPP Eligibility After Three Months

Applicants may be considered for SPP status if they have been living apart for more than three months. Applicants who apply after three months of separation must show evidence of current and ongoing abuse in order to be eligible for SPP (within the previous three months). Late requests will be accepted after considering some of the following:

- Whether the applicant knew they could apply for SPP
- Whether the applicant knew they must apply for SPP within 3 months of separating from an abusive situation or leaving human trafficking

- The applicant is at risk of further abuse from the abusive person
- The applicant is at risk of returning to the abuser due to financial hardship
- The applicant is at risk of returning to human trafficking due to financial hardship
- The abused member needs RGI to alleviate financial hardship arising from legal proceedings related to abuse or human trafficking
- The abused member needs RGI as part of an overall recovery program
- The applicant is living in temporary or emergency housing and receiving treatment or counseling.
- There are other extenuating circumstances

## Application Process

A household must be eligible for RGI assistance before a request for SPP status will be reviewed. If the applicant is not currently on the centralized waitlist, an Application for Rent-Geared-to-Income Housing must be completed and submitted with the SPP application.

All applicants applying for SPP status must complete a Special Priority Application which consists of Part 1: Declaration of Support and Part 2: Verification Record.

### Part 1 – Declaration of Abuse

This section is to be completed by the applicant.

### Part 2 – Verification Record

This section is to be completed by someone working in a professional capacity with the applicant around the issue of human trafficking or abuse. They must also provide a letter of support that outlines the instances of human trafficking or abuse, and when these occurred. If the applicant is applying for SPP after three months of separation, the support letter must also set out the reasons for the delayed application and details or current and ongoing abuse. The support letter must also be signed by a person who has the authority to bind their agency or organization.

The information provided will assist in assessing eligibility for SPP status. If an individual is unable to provide required documentation or the individual believes they are at risk in obtaining information and documents supporting a request for SPP status,

the individual should work through their advocate or contact Northumberland County Housing Services directly to discuss the matter with the Housing Caseworker.

The Northumberland County Housing Services Caseworker will make every effort to ensure that the applicant is contacted in the safest and most appropriate way as indicated by on their application. The applicant may be contacted by housing staff as required to request clarification around their application or provide information.

## **Timelines for Determining SPP Eligibility**

If a request for SPP Status is included with a household's application for RGI assistance, the determination of eligibility will be made within 14 days of the application being complete as required by the regulations.

If an internal review is requested regarding a denial of SPP Status the request must be submitted within 30days

All appeals will be reviewed within 10 days of receiving the request, and the written notice of decision will be forwarded to the applicant within 5 days as required by the regulations.

## **Removal of SPP Status**

SPP applicants remain eligible for SPP unless:

- the SPP applicant adds the abusive person to their RGI or modified housing application
- the SPP applicant adds the person engaged in their trafficking to their RGI or modified housing application
- the abusive person is deceased
- all people engaged in the applicant's trafficking are deceased
- the applicant starts to receive a provincially-funded, permanent housing benefit
- the applicant accepts an offer of RGI or modified housing outside of Northumberland County
- the applicant accepts an offer of RGI or modified housing in Northumberland County

- the applicant refuses an offer of RGI or modified housing in Northumberland County.

## **Repealed Rules**

This directive replaces Policy 2008-12 Special Priority Status

## **Legislative Authority**

Ontario Regulation 367/11, s. 52-58

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