



Program Instructions

This Program Instruction applies to the following:

- ✓ HSA Part VII Housing Providers (Provincial Reform)
- ✓ Rent Supplement – Social Housing Rent Supplement Program
- ✓ Rent Supplement – Commercial and Strong Communities
- ✓ Former Federal Program Housing Providers (s. 15 1/27, s. 56 1/95)
- ✓ **Housing York**
 - ✓ Public Housing
 - ✓ HSA Part VII

REASONABLE EFFORTS TO PURSUE INCOME

Note: This Program Instruction replaces Program Instruction N°2012-03

Effective Date: July 1, 2021

Summary

This Program Instruction sets out guidelines for community housing providers to assist in determining when tenants and co-operative members receiving rent-geared-to-income (RGI) assistance should be required to pursue income.

Background

Under *O. Reg. 367/11*, s. 31, tenants and members receiving RGI may be required to pursue specific types of income as a condition of eligibility. When directed to pursue income, tenants or members continue to be eligible for RGI provided they have made reasonable efforts to obtain the income. In York Region, tenants and members may be required to pursue the following income types:

- Financial assistance from Ontario Works

Community and Health Services

Housing Services

1-877-464-9675

TTY 1-866-512-6228

york.ca

The logo for York Region, featuring a stylized white star or arrow shape above the text "York Region" in a white serif font, all set against a green and teal background.

- Spousal support payments
 - Pursuit of spousal support can be a complex process; housing providers are encouraged to use discretion when directing tenants and members to make efforts to pursue spousal support as a condition of eligibility
- Employment Insurance benefits
- Old Age Security, Guaranteed Income Supplement, and Ontario Guaranteed Annual Income System payments
- Sponsorship income

Beginning July 1, 2021, York Region no longer requires tenants and members to pursue child support, as income from child support is no longer included in the calculation of RGI.

Tenants and members who have been directed to pursue income and do not make reasonable efforts to do so may become ineligible for RGI assistance.

Action Required

When completing an annual or in-year review, housing providers must consider if it is appropriate for a tenant or member to be directed to pursue income. In making this determination, housing providers should consider if tenants and members are receiving all income benefits available to them.

Tenants and members should not be directed to pursue income from a source for which they are not eligible. In situations where a tenant or member has previously been deemed ineligible for an income source, tenants and members should not be directed to re-apply for that income source again unless their circumstances have changed.

Housing providers are encouraged to contact their Program Coordinator for assistance with referrals to York Region's Family Support Worker. The Family Support Worker can assist the tenant or member with completing the application process for different types of income benefits.

NOTICE TO PURSUE INCOME

Direction to pursue income must be provided in writing. The notice must include:

- The type of income the tenant or member may be eligible to receive
- Direction to pursue the income as a condition of eligibility
- The date by which the tenant or member must report back on the results of the application, providing a minimum of 10 days or longer depending on the income type the tenant or member is directed to pursue

REASONABLE EFFORT

If a tenant or member fails to make reasonable efforts to pursue income, housing providers must determine whether the failure to pursue income was intentional.

The following should be considered when determining whether reasonable efforts have been made by a tenant or member:

- At minimum, tenants and members are expected to compete and submit applications for the income type and any required supporting documents to determine eligibility
- If supporting documents are not available, the tenant or member is working on obtaining the documents required to apply
- Continued eligibility for RGI depends on the tenant or member making reasonable efforts to pursue the specified income, and not necessarily the tenant or member being approved for the income
- Discretion may be applied for special priority households

Extenuating Circumstances

In some cases, a housing provider may decide that extenuating circumstances (e.g., medical reasons) have prevented a tenant or member from making reasonable efforts to pursue income. In these cases, housing providers are directed to consult with their Program Coordinator to determine an appropriate course of action.

Special Priority

Housing providers cannot require tenants or members housed under special priority status to provide information or documents that may put them at risk of abuse. Housing providers are directed to consult with their Program Coordinator if a special priority household reports they are unable to pursue income for this reason.

ADJUSTING RGI PAYABLE

Tenants and members who have had a decrease in income and are directed to pursue income will not have RGI adjusted until a decision has been made on the pending application. *O. Reg. 316/19*, s. 11 permits RGI to be adjusted only under specific circumstances between annual reviews. Additional information is provided in [Program Instruction 2021-10: In-Year Rent-Geared-to-Income Reviews](#).

When a loss of income is reported, housing providers should direct the tenant or member to pursue income where appropriate and wait for the outcome of the application before adjusting RGI. Once the outcome of the application is known, housing providers should determine if the tenant or member's income from the new source meets York Region's criteria for completing an in-year review, per [Program Instruction 2021-10](#), such as a 20% or more decrease in adjusted family net income.

If the criteria are met, housing providers may adjust RGI to reflect the new income source. If the criteria are not met, the change will be addressed at the next annual review.

RGI INELIGIBILITY

A tenant or member is no longer eligible for RGI assistance if the housing provider:

- Does not receive a response from the tenant or member within the time period specified in the written notice; or
- Determines the tenant or member has not made reasonable efforts to pursue the specified income after receiving a response from the tenant or member

The housing provider must provide written notice within seven business days of the decision that the tenant or member is ineligible for RGI for failing to pursue income. The notice must include:

- The reason for ineligibility
- The market rent or housing charge for the unit and the effective date of the increase (first day of the month following 90 days from the date of the notice)
- Information on requesting a decision review

DECISION REVIEW

Direction to pursue income is not considered a reviewable decision.

Housing provider decisions relating to the outcome of the pursuit of income process are reviewable, including recalculation of RGI payable and the determination a tenant or member is ineligible for failing to make reasonable efforts to pursue income. Tenants and members who do not agree with the outcome of such decisions may request a review by York Region. More information on this process is provided in [Program Instruction 2018-04: Decision Review Process](#).

Authority: *Housing Services Act, 2011*
O. Reg. 367/11, s. 31

Please contact your Program Coordinator with any questions.

May 2021

This notice will be available in an accessible format or with communication supports upon request from 1-877-464-9675 or 905-830-4444 ext. 72119

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OVERVIEW OF INCOME TYPES

Type of Support	Description	Additional Information	Examples of verification documents
Ontario Works (OW)	OW is a province-wide assistance program to help people in need. OW assists with basic living costs.	OW is delivered by York Region's Social Services Branch. Tenants and members can call Access York to find out more information or apply online to see if they may be eligible.	<ul style="list-style-type: none"> OW Statement of Assistance A copy of an eligibility decision letter from York Region When written confirmation is not given (ex. if they fail to meet the eligibility requirements) a verbal notice is acceptable
Old Age Security (OAS) and Guaranteed Income Supplement (GIS)	OAS is a monthly pension payment available to seniors age 65 and older who meet the Canadian legal status and residence requirements. GIS provides a monthly non-taxable benefit to OAS pension recipients who have a low income and are living in Canada.	Most eligible seniors are automatically enrolled in OAS and GIS. Seniors who were not automatically enrolled in OAS or GIS, or who applied for OAS but not GIS, may apply online through Service Canada.	<ul style="list-style-type: none"> A copy of the decision letter from Service Canada A copy of a letter from Service Canada confirming application status
Guaranteed Annual Income System (GAINS)	GAINS is a monthly, non-taxable benefit to low-income Ontario seniors.	Seniors receiving OAS and GIS do not have to apply for GAINS. Income taxes must be filed annually to remain eligible.	<ul style="list-style-type: none"> A copy of the decision letter from the Government of Ontario confirming the amount of benefits to be received

Type of Support	Description	Additional Information	Examples of verification documents
Employment Insurance (EI)	EI provides regular benefits to individuals who lose their jobs through no fault of their own and are able to work, but who have not yet found work.	<p>Individuals pay into EI while working. The amount of EI benefits depends on their earnings and time employed.</p> <p>An individual can start the application process before they receive their Record of Employment.</p>	<ul style="list-style-type: none"> • Confirmation of submitted application from Service Canada • A copy of the Employment Insurance statement • A letter confirming a member's non-eligibility or disqualification
Spousal Support	A court may order a spouse earning a higher income to pay spousal support for the other. The amount of support depends on a number of factors.	The Family Responsibility Office (FRO) ensures that support payments are collected, and helps individuals meet their support obligations.	<ul style="list-style-type: none"> • A copy of the letter confirming representation and the scheduled date of the court appearance • A copy of the court order • If the member of the household is being assisted by the Family Responsibility Office, written confirmation that a Family Support Worker has been assigned
Sponsorship Income	A sponsor promises to financially take care of the person(s) they are sponsoring to come to Canada. This agreement is called an undertaking.	The length of the undertaking depends on the age of the person being sponsored and the relationship to the sponsor. There are no established rates for sponsorship payments, however, a sponsor must be able to meet the basic needs for themselves and their relative including food, shelter and clothing.	<ul style="list-style-type: none"> • A letter from the sponsor confirming the amount to be paid to the sponsored individual on a monthly basis