

# 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

## LOCAL ELIGIBILITY RULE: MAXIMUM ABSENCE FROM UNIT

This Program Instruction replaces Program Instruction 2002-15 [HSA]

**Effective Date:** July 1, 2021

### Summary

This Program Instruction establishes a local eligibility rule for tenants and members receiving rent-g geared-to-income (RGI) assistance in York Region, limiting the amount of time household members can be away from their unit before becoming ineligible. It also sets out the procedures for community housing providers to follow when determining ineligibility based on the absence from the unit of a tenant or member for a prolonged period.

### Background

O. Reg. 367/11, s. 37 allows Service Managers to establish a local eligibility rule that limits the number of days all members of a household receiving RGI assistance can be away from their unit and still maintain their RGI assistance.

Community and Health Services

Housing Services

1-877-464-9675

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## Absence Limit

Tenants and members receiving RGI assistance in York Region cease to be eligible if all members of the household have been absent from the unit for a period of more than 90 consecutive days.

## Extenuating Circumstances

Housing providers may permit exemptions to the absence limit in the case of extenuating circumstances outlined below. Tenants and members must submit documentation to their housing provider to support the exemption, such as a letter from a licensed medical professional.

1. In the case of a one-member household, an exemption may be permitted if the member is absent due to medical reasons (e.g., temporary stay in a hospital or other acute health care facility).
2. In the case of a household with two or more members, an exemption may be permitted if one member is absent from the unit for due to medical reasons, and the remaining members are accommodated elsewhere as a result of the absence of the first member.

**Example:** A household includes a single parent and two young children. The parent is admitted to hospital for a chronic medical condition and the two children temporarily stay at their grandparents' home.

3. In the case of exceptional circumstances, York Region may grant an exemption at the recommendation of a housing provider. Housing providers are directed to consult with their Program Coordinator to identify allowable exceptional circumstances and determine appropriate documentation to be provided by the tenant or member. If approved by York Region, the tenant or member will maintain RGI assistance.

## Action Required

Housing providers must notify all tenants and members receiving RGI of this policy at the time of move-in. It is recommended that the policy be addressed in the housing provider's lease or occupancy agreement. The information is also included in in York Region's [Rent Subsidy Review Form](#).

Where possible, tenants and members are required to notify housing providers in advance of their absence.

Once a housing provider determines all members of a household have been absent for longer than 90 days, the housing provider must provide written notification within seven business days that the household is no longer eligible for subsidy. The increase to market rent or housing charge takes effect on the first day of the month following 90 days from the date the tenant or member is notified of their ineligibility. The notification must include:

- The reason the household has become ineligible for RGI
- 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, in accordance with [Program Instruction 2018-04: Decision Review](#)

**Authority:** *Housing Services Act, 2011 s.42, 53*  
*O. Reg. 367/11 s. 37, 61*

Please contact your Program Coordinator with any questions.

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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