



County of Wellington Social Services Department – Housing Services DIRECTIVE

Directive Number: 2014-03

Effective Date: January 17, 2014

This directive has been developed by the County of Wellington in its role as Consolidated Municipal Services Manager (CMSM) and applies to housing providers funded under the following social housing programs:

√	Provincially Reformed Non-Profit Housing Programmes (MNP, PNP & OCHAP)
√	Provincially Reformed Co-operative Housing Programmes (Co-ops)
	Municipal Non-Profit Housing Programme (Section 56.1 Pre-1986)
√	Local Housing Corporation (LHC)
	Federal Non-Profit Housing Programme (Section 95 Pre-1986)

SUBJECT: Review of Decisions System

LEGISLATIVE REFERENCES: Housing Services Act, 2011 s.53, 66 and 155–159
Ontario Regulation 367/11, s. 138 and 139
Ontario Regulation 368/11, Schedule 35
Statutory Powers Procedures Act R.S.O.1990, Chapter S.22

POLICY REFERENCES: Review of Decisions Policy HS 2013-PA14.0
Review of Decisions Procedures HS 2013-PRA1.0

ATTACHED: Review of Decisions Policy HS 2013-PA14.0 (Appendix A)
Review of Decisions Request Form (Appendix B)
Review of Decisions Summary Form (Appendix C)

BACKGROUND:

The Housing Services Act, 2011 (HSA) sections 155 - 159 require the CMSM to establish a Review of Decisions system (formally referred to as “Internal Review”) by which prescribed decisions that affect applicants, clients, members and tenants, are reviewed by an unbiased review committee.

HSA, 2011 O.Reg. 367/11 S.138 sets out prescribed requirements for the review system developed by the CMSM.

HSA, 2011 O.Reg. 367/11 S.139 sets out prescribed requirements for the effective decision dates used by the CMSM in the review system.

Through a process which started in November 2012, the County of Wellington has developed a new Review of Decision system which replaces the current system used by housing providers in the CMSM area. This system replacement is subject to the transition period noted below.

The CMSM staff undertook a number of different actions in the development of the policy, these actions include:

- Housing provider consultations
- Research and reviews
- Management policy development meetings
- Departmental staff consultations
- A housing provider focus group
- A housing provider email review
- Staff and administrative reviews

After all staff, administration and housing provider reviews were complete, the new Review of Decisions system was brought to the County of Wellington, Social Services Committee and Council. On October 31, 2013, the new Review of Decisions system was passed.

The new Review of Decisions system centralizes the decision review process for all decisions (as prescribed under section 156 of the HSA) made by the County of Wellington, Housing Services and its housing providers with respect to applicants, clients, members and tenants. This policy will replace all current Internal Review policies and/or bylaws in use by the CMSM and its housing providers.

Section 156 of the HSA prescribes the following decisions as reviewable:

- The household is not eligible for rent-geared-to-income assistance;
- The size and type of unit that would be permissible if the household received rent-geared-to-income assistance;
- The household is not included in a category given priority over other categories;
- The amount of rent payable by the household;
- The household is no longer eligible for rent-geared-to-income assistance;
- The household is not eligible for special needs housing;
- The special needs household is not included in a category given priority over other categories;
- The household that occupies a special needs housing unit no longer continues to be eligible for special needs housing.

TRANSITION PERIOD:

The new Review of Decisions system will be transitioned into use. County of Wellington, Housing Services and Guelph Non-Profit Housing Corporation started using the Review of Decision system as of January 1, 2014.

All other housing providers will have a transition period, giving their respective organizations time to bring themselves into compliance with the direction established herein. This transition period is from the effective date of this directive to March 31, 2014. Until this time, any review of decisions requests shall be processed by the respective housing provider as normal and within the prescribed requirements of the HSA.

As of April 1, 2014, the directions setout herein and the Review of Decision HS2013-PA14.0 policy will be fully implemented and in use for all affected housing providers.

DIRECTION:

Housing Providers and the review system

Effective April 1, 2014, housing providers are directed to:

1. Cease conducting review of decision meetings internally.
2. Ensure that if an applicant, client, member or tenant requests a review of the housing provider's decision through the CMSM Review of Decision system, that the housing provider staff will cooperate with the review coordinator, chair and committee and the review of decision process.
3. Ensure that staff provides all decision making documentation requested by the review coordinator, chair or committee, within the allocated timeframe.
4. Ensure that any and all decisions reached by the Review Committee under the HSA and the Review of Decisions policy are acknowledged and any actions required of the housing provider are followed.
5. Remove from use all policies and/or Bylaws relating to the Social Housing Reform Act, 2000 Internal Review system.

Housing Providers and committee involvement

Effective April 1, 2014, housing providers are directed to:

1. Ensure that any committee members supplied by a housing provider are made available for review committee meetings as they occur.
2. Ensure that any committee members supplied by the housing provider are made available for review committee training as arranged by the CMSM.
3. Ensure that any committee member supplied by the housing provider is aware of how to avoid and declare a conflict of interest or an impartiality concern.

Housing Providers and facilitating the review system process

Effective April 1, 2014, housing providers are directed to:

1. Ensure that all staff/individuals involved in making the decisions prescribed in section 156 of the HSA, are familiar with and able to access a copy of the attached Review of Decisions policy HS2013-PA14.0 (Appendix A).
2. Provide written notices to applicants, clients, members or tenants regarding all decisions made by the housing provider which fall under section 156 of the HSA. All written notice of decision letters must include the following paragraph:

“As prescribed in the Housing Services Act, 2011 you have the right to request a review of this decision. This review falls under the County of Wellington’s Review of Decision policy and would be completed by an unbiased review committee consisting of individual members who were not involved in the original decision. To request a review of this decision, please complete the attached “Review of Decision Request Form” by **DATE** and submit it to the County of Wellington, Review Coordinator at the address supplied on the form. You may also contact the County of Wellington, Review Coordinator directly at 519.837.5492 extension 4361.”

The review request deadline date used in the above paragraph must be set as 15 business days from the date of the original decision. (five (5) business days for mailing time, and ten (10) business days for applicant, client, member or tenant consideration.)

3. Attach the Review of Decisions Request Form (Appendix B) to all notice of decision letters supplied to all applicants, clients, members or tenants in the situations prescribed in section 156 of the HSA.
4. Provide applicants, clients, members or tenants with the following contact information when they receive questions pertaining to a review request or the County of Wellington’s Review of Decisions system:

Review Coordinator
County of Wellington, Housing Services
138 Wyndham Street North
Guelph, Ontario N1H 4E8
T – 519.837.5492 ext. 4361
E – reviewcoord@wellington.ca

5. Provide basic statistics upon request, pertaining to past review of decision (formally referred to as “internal review”) meetings conducted.

If you require additional information, please contact your Housing Advisor.



Harry Blinkhorn
Acting Director of Housing