

Housing In Peel

Subject: Occupancy Standards

Date: October 1, 2013

Replaces: Local Occupancy Standards HIP P&P dated March 10, 2010

Applicable to The policy and procedures contained in this document apply to the following housing providers:

- Municipal & Private Non-Profit Federal Non-Profit
- Co-operatives Rent Supplement*
*incl. former OCHAP/CSHP
- Peel Access to Housing (PATH)
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Content This document contains the following information:

Purpose
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Purpose This document provides Peel's Occupancy Standards policy under the *Housing Services Act, 2011*.

Note: Occupancy standards are used to determine the size and type of unit permissible for a household receiving rent-geared-to-income (RGI) assistance.

Background ***Social Housing Reform Act, 2000 (SHRA)***

Under the SHRA occupancy standards were prescribed, but Service Managers could replace the prescribed standards with a local rule.

Peel's Policy (SHRA)

Under the SHRA Peel adopted the following occupancy standards:

- Largest unit for any two household members that are spouses/partners of each other is a one bedroom, plus one bedroom for each additional household member.
- Additional bedroom may be approved if one of the following circumstances apply: pregnancy, child of household away at school, spouse/partner has disability or medical condition; household member has equipment required by a household member for a disability or medical condition needs to be stored, live-in caregiver.
- Smallest unit for any two household members that are spouses/partners is a bachelor.
- Smallest unit for two or more household members is a one bedroom (note: if household has more than two members all parties must agree to the one bedroom).

Housing Services Act, 2011 (HSA)

Under the HSA Service Managers are required to establish local occupancy standards and the standards must:

- permit a larger unit to accommodate a household member due to a disability or medical condition, if reasonably necessary, and
- treat a child who is financially dependent on the household but is living away from the household while attending school full time as an ongoing member of the household (and therefore eligible for a bedroom under the occupancy standards).

Peel's Policy (HSA)

Under the HSA Peel's occupancy standards will remain "status quo" (which are in compliance with the HSA), but will also permit housing providers flexibility to approve a smaller unit than what the occupancy standards permit provided the household is asking for approval and the approval does not violate other legislation or by-laws pertaining to occupancy standards. (Peel's full policy is detailed below).

Policy Rationale

Feedback from stakeholders during HSA consultation sessions for occupancy standards supported the status quo as well as the additional flexibility to approve a smaller unit in certain circumstances. A flexible policy is seen to optimize meeting the varied needs and circumstances of households and to support moving households off of the wait list and into affordable housing.

Peel's Policy This section provides Peel's Occupancy Standards Policy.

[Occupancy Standards – Largest Unit](#)

Occupancy Standards – Smallest Unit
Exception to Occupancy Standards – Smallest Unit
Student Living Away from the Household

Occupancy Standards - Largest Unit

The following table outlines the largest unit a household paying RGI is eligible for based on the household composition:

If the household includes ...	Then the largest unit the household is eligible for is a...
<ul style="list-style-type: none"> two people who are spouses of each other 	<ul style="list-style-type: none"> one bedroom
<ul style="list-style-type: none"> two people who are not spouses of one another (e.g. parent and child; brother and sister) 	<ul style="list-style-type: none"> two bedroom
<ul style="list-style-type: none"> 4 people that make up two separate spousal relationships 	<ul style="list-style-type: none"> two bedroom
<ul style="list-style-type: none"> two people who are spouses of each other and one dependent child 	<ul style="list-style-type: none"> two bedroom
<ul style="list-style-type: none"> any of the above scenarios plus one or more additional household members 	<ul style="list-style-type: none"> The number of bedrooms as per above plus one bedroom for each additional member

Note: Circumstances under which a household may be eligible for a unit larger (i.e. an additional bedroom) than what the table above indicates are outlined in the [RGI Household's Request for an Additional Bedroom](#) HIP.

Occupancy Standards - Smallest Unit

The following table outlines the smallest unit a household paying RGI is eligible for based on the household composition:

If the household includes ...	Then the smallest unit the household is eligible for is a...
<ul style="list-style-type: none"> two people who are spouses of each other 	<ul style="list-style-type: none"> a bachelor unit <p>(Reminder: Refusal of a bachelor unit by a two person household - where the two people are spouses - is not counted as a refused offer under the Refusal of Offers policy).</p>
<ul style="list-style-type: none"> two members 	<ul style="list-style-type: none"> one bedroom
<ul style="list-style-type: none"> more than two members 	<ul style="list-style-type: none"> one bedroom for every two members plus an additional bedroom when there is an odd number of members

	e.g. three members = two bedrooms
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Exception:

With mutual agreement between the housing provider and the household, more than two members may occupy a bedroom.

Exception to Occupancy Standards – Smallest Unit

Background

There are occasions where a household expresses interest in residing in a unit that is even smaller than the smallest unit size permitted under the occupancy standards.

Example: A three person household (two spouses and once child) want to live in a 1 bedroom unit.

Rationale

Households have indicated this preference for various reasons including:

- Consistency and familiarity based on their previous living conditions.
- Cultural preferences.
- Recognition that arrangement will be temporary due to future household composition change (e.g. 16 year old currently part of the household will move out of household when turns 18).

Approval of the Exception

Under Peel’s occupancy standards policy these requests may be approved provided that:

- both the household and the housing provider are in agreement with the arrangement, and
- the occupancy will not violate any other legislation or local by-laws

Student Living Away from the Household

A student living away from home is considered a member of the household if the student is:

- a child of a member of the household
- attending a recognized educational institution full-time and not living with the household while attending the institution, and
- fully or partially dependent on the household for financial support.

Legislation and By-laws

- [Housing Services Act, 2011, s. 43](#)
- [O. Reg. 367/11, s. 42](#)
- [Residential Tenancies Act, 2006](#)
- [City of Brampton “Property Standards” By-Law](#)
- [City of Mississauga “Property Standards” By-Law 654-98](#)

Additional

- [Ontario Non-Profit Housing Association](#)

Resources

- [Co-operative Housing Federation of Canada](#)
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Questions

If you have questions about this document please contact your Housing Administrator at the Region of Peel.