
Subject: Service Manager's Consent

Date: November 8, 2017

Applicable to The requirements contained in this document apply to the following:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Co-operatives | <input type="checkbox"/> Peel Access to Housing (PATH) |
| <input type="checkbox"/> Federal Non-Profit | <input type="checkbox"/> Rent Supplement*
*incl. former OCHAP/CSHP |
| <input checked="" type="checkbox"/> Municipal & Private Non-Profit | |

Content This document contains the following:

Background
Service Manager's Consent Authority
Minister's Consent
Request for Service Manager's Consent
After Business Case Submission
Questions
References

Background Through recent amendments to the *Housing Services Act (HSA), 2011*, effective January 1, 2017, Service Managers now have the authority to make specific consent decisions.

Service Manager's Consent Authority Under the *HSA Act, 2011*, the Region of Peel, as Service Manager (SM), has the authority to make specific consent decisions. These decisions include:

- certain changes to Local Housing Corporations (LHCs)
- transfers of certain housing projects,
- mortgaging of housing projects under s. 161 and 162 of the *HSA*,
- redevelopment of housing projects under s. 161 of the *HSA*; and
- corporate changes under s. 166 of the *HSA*.

Note: The Service Manager does have reporting requirements to the Ministry.

What does the Service Manager's consent authority mean for Housing Providers?

The *Promoting Affordable Housing Act, 2016*, specifies that the housing provider may transfer, mortgage or develop the designated housing project or the land where it is located only with written consent of the service manager in whose service area the designated housing project is located.

[*Promoting Affordable Housing Act, 2016, S.O. 2016, c. 25 - Bill 7*](#)

Minister's Consent

A Minister's consent will continue to be required for the following:

- the sale or transfer of social housing projects and lands;
- the sale of a Local Housing Corporation's (LHC) shares, the transfer of LHC's shares or the amalgamation or dissolution of a LHC (unless prescribed requirements are met);
- the sale of public housing, unless it is being transferred to the Service Manager or certain other entities; and
- an LHC opting out of the bulk purchasing of natural gas and insurance programs provided by the Housing Services Corporation (HSC).

Request for Service Manager's Consent

Requests for consent approval must be submitted to the Service Manager as a business case.

A business case submission can be made for the following matters:

- to sell, transfer, mortgage or redevelop their social housing properties
- for easements (e.g. access)
- to amalgamate with another corporation
- to update or remove designation as Special Needs Housing Administrator
- to apply for Land Transfer Tax Exemption

The Housing Provider will compile all the information that supports the consent request in the following format.

Business Case	
Parts	Description
Contact Information	Housing Provider's name & address Other relevant contacts
Request	Type of submission (e.g. joint); provide a list of each request for consent under <i>HSA, 2011</i>
Background & Rationale	Details of housing project, details of completed operational review(s), resolved issue(s), outstanding

	issue(s), list matter(s) that require consent approval
Board Resolution	Resolution from the Board of Directors supporting the submission
Budget / Financial Implications	Outline financial impact(s)
Existing Residents / Community	Impact on tenants / members

Housing Providers are to submit the business case to their Housing Programs Specialist at the Region of Peel at:

Housing Programs Unit
10 Peel Centre Drive, Suite B
PO Box 2800, STN B
Brampton, ON L6T 0E7

After Business Case submission

After a Housing Provider submits a consent request, the Region of Peel will first assess the request and then determine whether to:

- approve the consent request as is,
- approve the consent request with further conditions,
- deny the consent request, or
- submit a request to the Ministry of Housing when there are matters that require ministerial consent.

There may be follow up discussions/meetings between the Housing Provider and Service Manager to discuss the consent request or to attain any clarifying information.

The Housing Provider can provide additional information; however, they will be assessed on a case by case basis as it is dependent on what the Service Manager may determine to adequately assess the consent request.

The Service Manager will provide a written decision to the Housing Provider once all information has been obtained.

Questions

If you have any questions, please contact your Housing Programs Specialist at the Region of Peel.

References

[Housing Services Act, 2011](#)
[Service Manager Consents & Ministerial Consents under the Housing Services Act, 2011](#)
[Guide for Service Manager Consents under the *Housing Services Act, 2011*](#)
[Promoting Affordable Housing Act, 2016, S.O. 2016, c. 25 - Bill 7](#)

