

For Information

DATE: April 23, 2012

REPORT TITLE: **UPDATE ON THE HOUSING SERVICES ACT, 2011: HOUSING  
ADMINISTRATION AND LOCAL RULE DEVELOPMENT**

FROM: Janet Menard, Commissioner of Human Services

**OBJECTIVE**

To provide an update on the *Housing Services Act, 2011*, including staff activity to date on the development of local rules affecting social housing administration.

**REPORT HIGHLIGHTS**

- The *Housing Services Act, 2011* (HSA) came into effect on January 1, 2012 replacing the *Social Housing Reform Act, 2000*.
- The HSA provides increased flexibility and the ability for Service Managers (i.e., the Region of Peel) to create local rules for social housing administration which must be created collaboratively with housing providers and other key sector stakeholders.
- Regional staff have created a plan to address the development of these local rules which commenced with consultations with housing providers and community members.
- This process will continue in 2012 and Council will be updated on its progression on a regular basis.

**DISCUSSION****1. Background**

As the Service Manager for the housing system in Peel, the Region is required to conduct business in accordance with all relevant legislation. The areas in the housing system affected by this report are indicated in Appendix I.

On January 1, 2012, the Province proclaimed the *Housing Services Act, 2011* (HSA) which replaced the *Social Housing Reform Act, 2000* (SHRA). The new legislation integrates the funding, planning and delivery of housing and homelessness prevention programs under an overarching integrated human services framework. It also requires that municipalities, in their role as Service System Managers, to develop integrated Housing and Homelessness Plans (Local Plans) by January 1, 2014.

As the Service System Manager, the Region of Peel manages the partnerships with 46 housing providers, which includes; 15 co-operative housing providers and 32 non-profit housing providers (including Peel Living which is the largest housing provider). In this

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capacity, the Region must ensure that all housing providers are adhering to changes in legislation that impacts their operations.

### **2. Changes to the Act and Service Manager Role**

The HSA provides a broader perspective of the housing system for all Service Managers in Ontario. The HSA encompasses the whole continuum of housing including homelessness prevention, subsidized housing options to affordable rentals and home ownership. HSA shifts the responsibility for planning with greater flexibility and decision-making to the local level, while the Province retains the responsibilities for oversight and policy direction.

Many of the social housing administrative provisions in the SHRA are incorporated into the HSA with little or no change. However, it does include the following changes:

- Service Managers will develop 10-year integrated housing and homelessness plan to be in place and effective January 1, 2014.
- Housing providers are required to make training opportunities available for staff, volunteers and Board members for succession planning.
- Elimination of some forms of ministerial consents.
- Changing the waiting list system to permit Service Managers to design their own local systems within certain parameters.
- Updates to requirements regarding the Service Manager Appeal process and setting the structure for a process to allow housing providers to appeal decisions made by the Service Manager.
- Changing the name of the Social Housing Services Corporation to the Housing Services Corporation and providing them broader flexibility to offer new optional services and supports.
- Changes to the rules about access to Rent-Geared-to-Income (RGI) and its administration (Regulations still in development and expect to be effective in 2013).

### **3. Housing Services Act, 2011 Regulations**

In August 2011, the Province released the Regulations for the HSA, which provided details on the increased levels of local responsibility under the Act. The Region, as Service Manager, is proceeding with the development and implementation of local rules, standards and processes pertaining to the administration of housing programs. The increased flexibility means that many processes, timelines, and eligibility criteria that were prescribed in the SHRA are not specified in the new Act. This allows Service Managers to develop local policies. Some examples include:

- The SHRA stated that applicant households would be deemed ineligible for RGI-subsidized housing if they refused three offers of accommodation based on their selected areas of preference. Under the HSA, there is no limit on the number of offers unless established by the Service Manager.
- The SHRA required households without any source of income to pursue specific income sources – i.e. Ontario Works, support payments and Old Age Security. Under the HSA, Service Managers have discretion to determine if, and under what circumstances, pursuit of income will be required.

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- The SHRA established specific timelines for determination of eligibility and notification to applicant households. The HSA states the Service Manager must notify households "without delay".

In the latter half of 2011, the Ontario Municipal Social Services Association (OMSSA) hosted a series of webinars for Services Managers across the Province to review the HSA and identify changes in legislation and all areas where Service Managers now have discretion to establish local policy. This group's final report was released in December 2011 and outlined seven categories of enhanced local flexibility in the administration of social housing:

1. RGI Eligibility
2. Notices and Internal Reviews
3. RGI Applications
4. RGI Wait List
5. Housing Provider Standards
6. Operational Reviews and Housing Provider Reporting
7. Special Needs Housing Administration.

The consensus across the sector was that there was insufficient time to conduct the required research and stakeholder consultations to adequately make decisions reflecting local needs prior to the HSA's effective date of January 1, 2012.

Informed by the work of the OMSSA working group, and like many other Service Managers, the Region of Peel adopted the SHRA's legislated requirements as "status quo" until local consultations had occurred. Peel's Housing Providers were informed of this direction in a "Housing in Peel – Policy Update" prior to January 1, 2012.

#### **4. Housing Administration Local Rule Development – Process and Progress to Date**

In addition to providing regular updates, Regional staff have conducted two formal meetings with housing stakeholders, with a third planned for May 16, 2012, to discuss the implications of the HSA with regards to local rules affecting social housing program administration.

Regional staff are structuring Housing Provider consultations for local rules pertaining to social housing administration one category at a time due to the volume of decisions required and will continue to engage housing stakeholders in the development of the local rules. This engagement process, which has already started, involves presenting options (based on research and best practices) for discussion and feedback on each decision point with our stakeholders. The preferred options will be brought back to the providers for validation before implementation.

Regional staff have conducted an analysis of all areas in the legislation where local rules can be developed using the OMSSA working group report. Staff have received initial feedback on the development of Housing Provider Standards from our stakeholder group and are in the process of developing options for further policy discussions.

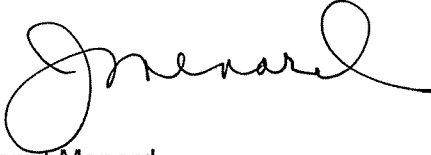
It is expected that the development of recommended local policies will be completed by the fall of 2012. Staff will submit a report for Council's consideration at that time.

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**CONCLUSION**

The Region of Peel will continue working on developing local rules and standards throughout 2012 using the approach outlined. Regional staff are continuing to conduct research and consult Housing Providers and other key stakeholders to create and implement new local rules and plans as required under the *Housing Services Act, 2011*. In addition, throughout 2012 and 2013, the Region will also be consulting with the broader community for the development of Peel's integrated housing and homelessness plan.



Janet Menard  
Commissioner of Human Services

**Approved for Submission:**



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D. Szwarc, Chief Administrative Officer

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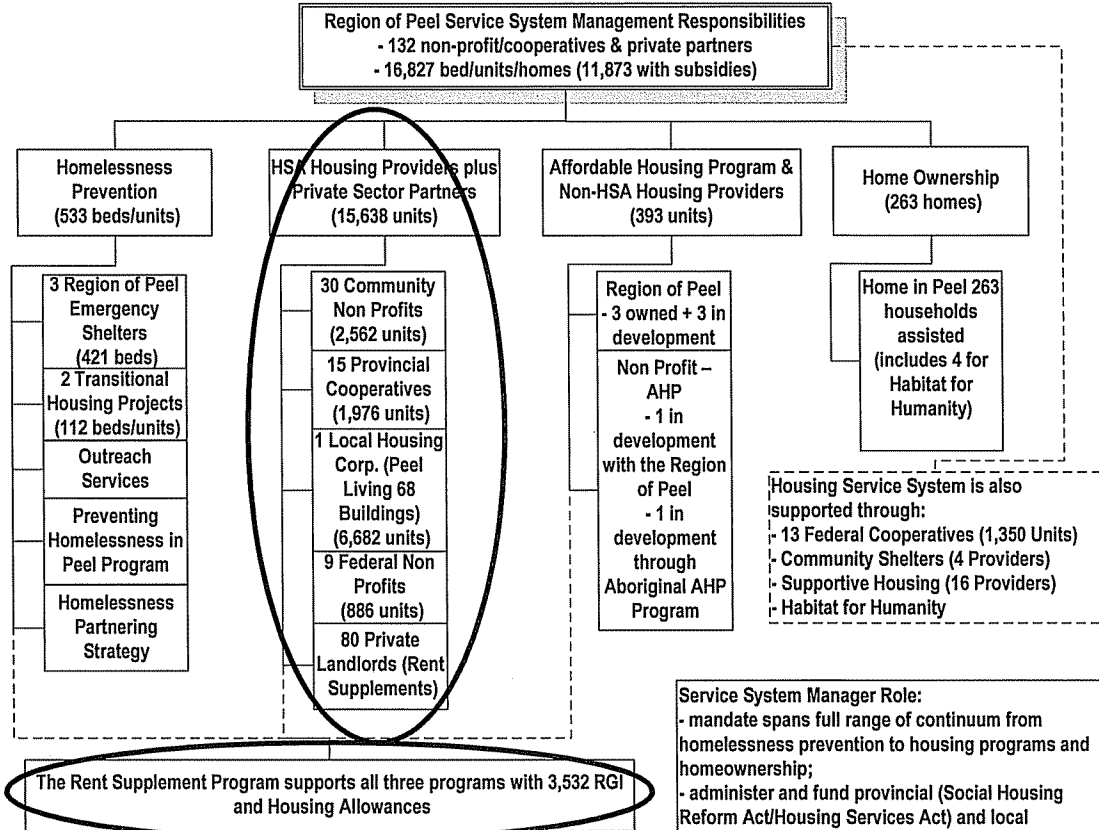
c. Legislative Services

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## APPENDIX I

### Region of Peel Housing System Chart



HSA = Housing Services Act

Note: Federal Non-Profits, Private Landlords and some AHP projects have entered into Rent Supplement Agreements with the Region to provide subsidy for a portion of units. Providers with Rent Supplement Agreements are required to follow provisions of the Housing Services Act regarding the subsidy administration of these units.

**Service System Manager Role:**

- mandate spans full range of continuum from homelessness prevention to housing programs and homeownership;
- administer and fund provincial (Social Housing Reform Act/Housing Services Act) and local programs (e.g Home in Peel);
- management of Centralized Waitlist;
- service system planning, research and policy analysis and strategy implementation.

January 2012