ROBINS APPLEBY
BARRISTERS + SOLICITORS

MEMORANDUM

TO:	Ontario Not-for-Profit Housing Association
FROM:	Robins Appleby LLP
SUBJECT:	Bill 184 - *Protecting Tenants and Strengthening Community Housing Act, 2020*
DATE:	May 7, 2020

Bill 184 - *Protecting Tenants and Strengthening Community Housing Act, 2020*

INTRODUCTION

On March 12, 2020, the first reading of *Bill 184, Protecting Tenants and Strengthening Community Housing Act, 2020* ("**Bill 184**"), was carried in the Ontario Parliament. The Bill has four distinct parts, each impacting different legislation. Specifically, Bill 184 consists of:

- amendments to the *Building Code, 1992;*
- amendments to the *Housing Services Act, 2011;*
- amendments to the *Residential Tenancies Act, 2006*; and
- enactment of the *Ontario Mortgage and Housing Corporation Repeal Act, 2020.*

This memorandum provides an overview of all the proposed changes in Bill 184, with specific analysis on impact to the social and affordable housing sector.

SCHEDULE 1 – BUILDING CODE ACT, 1992

Introduction: A Prelude to Something More

Schedule 1 of Bill 184 amends the *Building Code Act, 1992,* to allow for the creation of a new "authority" to administer certain aspects of the building code regime. Based on a reading of the amendments, along with the explanatory notes, it is not clear how this proposed authority is going to either "protect tenants" or "strengthen community housing" – neither tenants nor affordable housing are mentioned in its contents. In short, readers of the Act who did not take away a clear understanding of what the legislation will actually mean are not alone.

What these changes do suggest is that the current government has a grander vision for how certain aspects of the construction process are regulated, and these amendments appear to be one step in that direction. Presently, we do not know what that vision entails but we anticipate that we will have a better idea on how the new authority is intended to interact with the social and affordable housing industry once the draft regulations are posted.

Changes to the Building Code: What we do know

The *Building Code Act, 1992* and Ontario's Building Code (collectively, the "***BCA***") govern the construction of new buildings and the renovation of existing buildings by promoting the safety of buildings with reference to public health, fire protection, accessibility, and structural sufficiency.[1] Under the *BCA,* municipalities, Boards of Health and Conservation Authorities (referred to in the *BCA* as "**Principal Authorities**") are tasked with the responsibility of enforcing the provisions of the *BCA* which includes, amongst other things, reviewing and approving building and demolition permits, inspect new construction for compliance, and imposing orders against a building for non-compliance.

Bill 184 amends the *BCA* by allowing for the creation of a new non-governmental non-profit organization that has the ability to administer and oversee the same responsibilities that currently reside with the Principal Authorities (new entity referred to as the "**Administrative Authority**"). As drafted, the proposed amendments will allow the Province to delegate nearly all of the responsibilities set out in the *BCA* to the new Administrative Authority, including the ability to hire new building inspectors, appoint its own chief building official, and review and approve building permit applications.[2]

At the point of writing, many details remain unknown with respect to the effects of this amendment including what specific responsibilities are going to be delegated to the Administrative Authority and how the jurisdiction of the Administrative Authority is (or isn't) going to overlap and conflict with the existing Principal Authorities. For example, if the Administrative Authority takes on the responsibility of administering the approval of building permits in smaller municipalities, would it make sense for it to also assume these responsibilities in large cities, such as Toronto or Ottawa, that have substantial building departments and a chief building official?

While much remains unknown about the Administrative Authority's scope of power, some potential benefits include: the implementation of uniform application processes across multiple jurisdictions and the potential for a more responsive Principal Authority that will speed up the approval process for new housing projects in jurisdictions with fewer resources.

SCHEDULE 2 – HOUSING SERVICES ACT, 2011

Part A of Amendments – Changes to RGI administration?

Currently, under section 40 of the *Housing Services Act, 2011,* (the "***HSA***"), a Service Manager is to provide rent-geared-to-income ("**RGI**") assistance for a prescribed number of households that meet the income threshold and a prescribed number that meet the threshold for high need. The prescribed numbers do not include assistance provided under any housing programs, but do include assistance provided as alternate financial assistance to RGI.

Section 41 of the *HSA* requires that the Service Manager to provide a prescribed number of modified units (i.e. accessible to an individual of physical disability).

---

[1] https://prod-environmental-registry.s3.amazonaws.com/2019-09/BC-Transforming_Sept-19-FINAL.pdf
[2] Bill 184, Schedule 1, Section 2.

Section 42 allows the Service Manager to make local eligibility rules with respect to eligibility for RGI.

The proposed changes repeal sections 40 and 41 of the *HSA* in their entirety, and amends subsection 42(2) to only allow the Service Manager to make local eligibility rules with respect to prescribed matters.

A new Part II.1 is added to the *HSA* that requires services managers to ensure that they are providing assistance related to housing in accordance to regulations, including regulations respecting the levels at which assistance must be provided. The regulations that will dictate these service levels are unknown at this point, but based on the proposed legislation, the following will likely be reflected in the new regulations:

- form of assistance that is provided by the Service Manager;
- specified programs approved by the Minister of Municipal Affairs and Housing (the "**Minister**");
- requirements respecting eligibility; and
- requirements respecting priority of assistance.

Furthermore, under new section 10.2, the Service Manager is required to have the access system for providing the services that are to be outlined in the regulations in the form as specified by the new regulations.

A Freight Train in the Mist

The full impact of the proposed changes cannot be determined at this point as no details have been provided on what the proposed regulations will look like.

It should be noted that there is potential for significant changes on how Service Managers are to operate based on what the regulations will look like. As examples, the regulations may change:

- the total number of RGI units to be provided by Service Managers;
- eligibility requirements for RGI;
- methods of providing assistance, such as rent supplement;
- number of accessible units to be provided;
- the current priority rules; and/or
- how waiting lists are to be managed (e.g. may require all Service Managers to have choice-based processes).

Moreover, the proposed amendment to section 42(2) indicates that the Ministry of Municipal Affairs and Housing (the "**Ministry**") may want to restrict the Service Manager's ability to make local eligibility rules.

All of the above is speculation, but without more details, all that can be said is that Service Managers should be aware of the potential for significant changes in the future.

PART B OF AMENDMENTS – THE "EXIT AGREEMENTS"

The Current Situation – Caught in the Act

As of the date of writing, one significant gap in the *HSA* is the status of non-profit housing providers on the expiration of their existing operating agreements and the corresponding maturity of their capital mortgages. Non-profit housing providers that operate a Designated Housing Project[3] are subject to the various obligations contained in the *HSA,* including complying with operating and reporting standards set by the *HSA* and the local Service Manager and maintaining a set number of RGI units. Additionally, certain housing providers face restrictions on the alienation of their lands. For example, providers of a Part VII Housing Project[4] are prohibited from transferring or mortgaging the lands where the project is located without the prior written consent of the Service Manager.

Prior to the publication of Bill 184, the common viewpoint amongst non-profit housing providers was that once a Designated Housing Project's mortgage was repaid and the related operating agreement had expired, that the non-profit housing provider was no longer subject to the provisions of the *HSA* with respect to that housing project. Notwithstanding this conventional wisdom, this was never the case as the expiry of the operating agreement did not remove the provider from the regulations associated with the *HSA*.

To the extent there was any debate about that conclusion, Bill 184 makes it clear that, absent amendment, housing providers remained subject to the HSA. As stated in the explanatory notes to Schedule 2: "[t]here is no explicit process under the [*HSA*] for a housing project to cease to be a designated housing project" and therefore all designated housing projects, including Part VII Housing Projects operated by non-profit housing providers, remain subject to the provisions of the *HSA* until such a time as they are removed from the Regulations, which up until Bill 184 was through an ad-hoc application to the Ministry.

Exit – Stage Right

Bill 184 now provides a mechanism for delisting housing projects from the *HSA* and removing them from its obligations, oversight, and restrictions on the ability to sell or mortgage ones lands. In order to become delisted a housing project must satisfy the prescribed criteria, the housing provider and the Service Manager must have entered into an exit agreement that complies with the prescribed requirements, and the housing provider and Service Manager must deliver a joint notice to the Minister of Municipal Affairs and Housing.[5] As the proposed regulations have not

---

[3] A "designated housing project" is any housing project that is listed in a schedule to Regulation 368/11.
[4] Section 90 of Regulation 367/11, which prescribes all projects with category number 6(a) or 6(b) in to Regulation 368/11 as being designated as Part VII housing projects. Schedule 1 of Regulation 367/11 states that category number 6(a) applies to non-profit housing providers who had participated in the Non-Profit Full Assistance Program administered by the Province (other than the Municipal non-Profit Housing Program), including jobsOntario Homes, the Ontario Non-Profit Housing Programs, Homes Now, and Federal/Provincial Non Profit Housing Programs (1986-1993). Category number 6(b) applies to Co-operatives in a similar fashion.
[5] Bill 184, Schedule 2, Section 9.

been published, we do not know what the eligibility criteria will be, nor do we know what the exit agreement will include.

Exit – Sort of, Maybe

In addition to the delisting of projects through an exit agreement, Bill 184 also creates a quasi-delisting process for other housing projects and designates these projects as a becoming a Part VII.1 Housing Project. We have chosen to describe Part VII.1 Housing Projects as "quasi-delisted" for the following reasons: (i) Part VII.1 Housing Projects still qualify as "designated housing projects" and therefore some activities are still governed by certain parts of the *HSA,*[6] and (ii) one of the requirements for becoming a Part VII.1 Housing Project is that the housing provider and the Service Manager enter into a service agreement that complies with the prescribed requirements.[7] As is the case with an exit agreement, we do not yet know what the prescribed requirements will be, but the name of the agreement suggests that it will impose a set of operating obligations on the housing provider and it is also likely that these obligations will be accompanied by a funding commitment from the Service Manager. While this agreement can be imagined to be similar to operating agreements that many Service Manager's have with non-profit housing providers, what is unclear is whether the obligations under a Service Agreement will be secured by a mortgage against the Part VII.1 Housing Project.

The current lack of direction in both the exit agreements and service agreements provides ONPHA and its members with an opportunity to get ahead of the regulations and shape the contents of these agreements. For example, non-profit housing providers members may want to push the Ministry to draft regulations to include a requirement that Service Managers commit a level of funding to these projects as either an one time-payment (in the case of exit agreements) or as a continual funding subsidy (in the case of service agreements). As well, both non-profit housing providers and Service Managers can advocate for a more flexible set of requirements to allow parties to respond to the unique needs of their local municipalities.

In addition to the changes discussed above, the proposed amendments to the *HSA* also allow the Ministry to publish directives with respect to the administration and operation of Part VII.1 Housing Projects, and Service Managers are required to maintain a list of all Part VII.1 Housing Projects in their service area.

---

[6] For example, a Part VII Housing Project which becomes as Part VII.1 Housing Project through this process is no longer bound to comply with the obligations set out in Part VII of the *HSA* (sections 90 to 101) the Project is still subject to the general rules set out in Part VI of the *HSA.*

[7] Bill 184, Schedule 2, Section 10.

SCHEDULE 3 – ONTARIO MORTGAGE AND HOUSING CORPORATION REPEAL ACT, 2020

Gone but not Forgotten

The *Ontario Mortgage and Housing Corporation Repeal Act, 2020* dissolves the Ontario Mortgage and Housing Corporation ("**OMHC**") and transfers its assets, liabilities, rights and obligations to the Crown.

The OMHC is a statutory corporation, formerly named the Ontario Housing Corporation. In short, it manages and administers obligations related to former housing programs, including debt retirement and environmental obligations related to its former public housing land and properties. The OMHC also indemnifies the CMHC for certain social housing mortgages and manages a portfolio of legacy mortgages and land leases issued under former housing programs. We have included a full list of its obligations as Appendix 1 to this memorandum.

The OMHC is governed by a Board that oversees the Corporation's business and is accountable to the Minister. The Directors are senior civil servants in the Ministry who perform OMHC duties as part of their regular responsibilities.[8]

Some of the key provisions of the OMHC Repeal Act are discussed below.

Transfer of Assets and Liabilities

It is proposed that all of OMHC's assets, liabilities, rights and obligations are to be transferred to the Crown in right of Ontario (section 2).

Discussion: Environmental Liability

In their last published Statement of Financial Position (for March 31, 2018)[9], the corporation had long-term debt of approximately $217.5M and long-term environmental remediation liabilities of $43.7M.

The long-term debt consists of loans from CMHC and the Province related to housing that have been transferred to Local Housing Corporations that is still owed by OMHC.

One key service provided by OMHC is that it retains potential liability for cleaning up environmental contaminants of former public housing properties under the *Environmental Protection Act*, as noted in the former *Social Housing Reform Act, 2000* and maintained in the *Housing Services Act, 2011*. The Ministry reimburses OMHC for the costs incurred. The $43.7 remediation liability is directly associated with Toronto Community Housing Corporation redevelopment projects at Regent Park and Alexandra Park. It should be noted that a 2014-15 review by the Ministry of 1500 former OMHC sites revealed that there was a potential contingent

---

[8] See OMHC Annual Report at https://www.ontario.ca/document/2017-2018-ontario-mortgage-and-housing-corporation-annual-report#section-2

[9] See OMHC Statement of Financial Position at https://www.ontario.ca/document/2017-2018-ontario-mortgage-and-housing-corporation-annual-report/financial-statement-year-ended-march-31-2018

liability of $295M related to remediation on 50 identified sites. At this point, it is unclear who currently carries this liability and who will carry the liability post-dissolution of OMHC.

The Statement of Financial Position also revealed that that there was $58.2M excess revenues over expenses for the reporting period, albeit all the revenues came from subsidies from the Province. The question that arises is if the money is still available to OMHC and whether it will still be available for the social housing sector, or will the money be rolled up into other provincial programs.

Social housing providers should consider seeking assurances that the services currently provided will continue going forward. It is unclear if these changes are only administrative (i.e. reducing red tape as OMHC's function and funding currently resides with the Ministry) or if this change is part of a bigger change in strategy.

Transfer of Real Property

With respect to real property that the OMHC owns, the Minister will have the power to either sell or dispose of the property (section 4). The Minister may also transfer the property to the municipality where the property is located (section 5), and this can be done without notice to or consent of the municipality [subsection 5(3)].

Discussion: Turning Circles or Big Land?

It is unclear what real property the OMHC still owns as all of it's the properties were previously transferred to LHCs. Thus, there may not be any impact to social housing providers. If there are more properties to be transferred, municipalities will want to advocate for changes to Bill 184 to ensure that they are not receiving such lands without their consent.

SCHEDULE 4 – CHANGES TO RESIDENTIAL TENANCIES ACT, 2006

The proposed changes to the *Residential Tenancies Act, 2006*[10] (the "***RTA***") under Bill 184 are highlighted below. It should be noted that most of these changes will have little to no impact to social housing providers as the majority of changes seem to target unscrupulous landlords trying to benefit from increasing rent. Furthermore, there are many changes related where social housing providers are exempt from under the general exemption provided in section 7 of the *RTA*.

Changes Impacting Social Housing Providers

1. Raising issues at LTB hearings for evictions for arrears

Currently, under section 82, if a tenant is being evicted for arrears at the Landlord Tenant Board (the "**LTB**"), the tenant may raise any issues at the hearing that is pertinent to why the tenant did not pay the rent.

---

[10] ***Residential Tenancies Act, 2006*, S.O. 2006, c. 17**

It is proposed that section 82 is repealed and replaced with provisions that still allow the tenant to raise issues, but the tenant has to: inform the landlord ahead of time that they are raising the issue; or provide the LTB with a satisfactory explanation on why the issue was not raised ahead of time.

Discussion: This proposed change should support landlords from being surprised at the hearing with issues that they were not aware of. Moreover, if the landlord is informed of issues ahead of the hearing, the landlord and tenant may be able to address the issues and avoid the hearing altogether.

Social housing providers generally have eviction prevention policies that require them to connect with tenants before applications are brought to the LTB. Therefore, the impact of this change should be minimal as long as the housing provider follows such practices.

2. Compensation for tenants

There are three categories of changes proposed that relate to compensation for tenants.

New Purchaser taking over Unit

A new section 49.1 is proposed, requiring a landlord that gives a notice of termination of a tenancy on behalf of a purchaser, under section 49, to compensate the tenant via:

- One month's rent; or
- Offer another rental unit acceptable to the tenant.

The change also specifies that this obligation is the obligation of the landlord and does not revert to the purchaser.

Discussion: Section 49 relates to sale of homes of three units or less, or sale of condominiums. The impact to social housing providers is expected to be minimal, except where a provider is selling a single-family home. In these circumstances, the social housing provider will likely be offering a transfer for the tenant.

Demolition of Unit

Currently under sections 52, and subsections 54(1) and 54(2), for buildings with five or more units, a landlord is required to compensate a tenant if the landlord gives notice of termination for demolition, conversation to non-residential use, or for the purpose of repairs or renovations.

New subsections 52(2), 54(3) and 54(4) are proposed to provide one month's rent as compensation for a notice of termination for buildings of five or less units.

Discussion: There is no impact to social housing providers as they are exempt from sections 52 and 54 via the exemptions provided under section 7.

Former Tenants

Currently, section 57 allows the LTB to make certain orders related to when a landlord provides a notice of termination in bad faith that caused the tenant to vacate the unit. Under existing subsection 57(3), the LTB may order that the landlord compensate the former tenant equivalent to the increased rent that the tenant has to pay over the next year and for all moving and storage expenses.

A new subsection 57(3) is proposed that would allow the LTB another option, on top of existing options, to compensate the former tenant – the LTB can now also award general compensation equivalent to twelve months of rent that the tenants was previously being charged by the landlord.

Discussion: The purpose of this change seems to be to give the LTB more tools to compensate tenants that are victims of landlords acting in bad faith. Although social housing providers are not exempt from these provisions, the impact should be minimal as long as they are acting in good faith. It should be noted that social housing providers are exempt from the rent increase guidelines of the LTB.

What the changes are trying to address is situations where a landlord sees an economical benefit to terminating an existing lease that is subject to LTB guidelines for rent increases, and then signing a new lease at a higher rent. It is debatable whether one year's rent is a harsh enough penalty to dissuade an unscrupulous landlord as the profits from the increase in rent may be more than the penalties.

3. Affidavits with LTB Applications

A new subsection 71.1 is proposed requiring a landlord to provide an affidavit along with the application for termination where the landlord wishes to end a tenancy under section 48 (landlord requiring unit personally), 49 (purchaser requires unit), or 50 (demolition, conversion, or repair of unit). If the affidavit is not provided, the LTB will refuse to accept the application.

The landlord, in the application, must also indicate whether the landlord, within the previous two years, had given any notices under sections 48, 49, or 50.

Furthermore, under new subsections 72(3) and 73(2), the LTB, in determining the good faith of the landlord or purchaser, may consider evidence regarding the landlord's previous notices of termination.

Discussion: This proposed change is also designed to discourage landlords from acting in bad faith as lying on an affidavit is perjury and has criminal law consequences. Allowing consideration of prior notices should also give the LTB more tools to weigh the credibility of the witnesses.

This change should have minimal impact on social housing providers as long as they are acting in good faith.

4. Compensation from former tenants

Currently, a landlord can only go the LTB for an order to collect arrears, for occupation of a unit by an overholding tenant, or for compensation for damage to a unit if the tenant is still occupying the unit. If the tenant is not occupying the unit, the LTB has no jurisdiction. Thus, the landlord must go to other venues (usually small claims court) for recovery.

The proposed amendments to section 87 and 89 would allow the landlord to pursue the tenant at the LTB even after the tenant has moved out, as long as it is within one year after the tenant ceased to be in possession of the unit.[11]

Proposed new section 88.1 similarly allows a landlord to pursue a former tenant for reasonable out-of-pocket expenses that the landlord had incurred or will incur as a result of a former tenant's substantial interference with the reasonable enjoyment of the residential complex by the landlord.

Proposed new section 88.2 allows a landlord to pursue a current or former tenant that has not paid utility costs that the tenant was required to pay.

Discussion: The proposed changes allow the LTB to address issues arising out of former tenancies and make sense as the LTB is the subject matter expert in all tenancy-related matters. Thus, they are better equipped to adjudicate such matters than small claims court.

It is unclear how many more cases will be presented at the LTB as a result of this change, but consideration should be given to ensuring the LTB is adequately staffed to handle the increased workload.

5. Mediation and ADR

Currently, the landlord and tenant can mediate disputes by mutual agreement. The mediated agreement is then endorsed by the LTB. Any subsequent breach can then be brought to the LTB without notification to the tenant (i.e. on an *ex-parte* basis) through a section 78 application – potentially allowing for more expedited eviction process.

The proposed changes to subsection 194(1) allow the parties to mediate or use other dispute resolution processes.

Discussion: Allowing more flexibility to resolve issues could result in better outcomes for both the landlord and tenant.

Furthermore, this new process should allow for some resolutions to occur more expeditiously. Currently, mediation often occurs on the day of the hearing and only those settlements involving mediators can be endorsed by the LTB, and thus, being eligible for section 78 agreement that can be enforced through the LTB on an *ex-parte* basis. Under the new regime, there should be opportunity for the landlord and tenant to discuss the issues ahead of time, without the need for a mediator, and come up with an agreement that is enforceable through the LTB.

The challenge, as in all mediations, will be the power dynamic between the parties. The landlord is usually more sophisticated in these matters based on their experience, and thus will have more power to dictate the terms of a settlement. Having a mediator somewhat mitigated this power imbalance. If this change is implemented, the LTB will have to ensure it provides the appropriate level of scrutiny to non-mediated settlement agreements.

---

[11] One year time period is the general jurisdiction for matters at the LTB.

6. Production Order

A new section 231 is added to allow a Provincial Judge or Justice of the Peace to issue a production order compelling a person, other than the person under investigation, to produce documents or copies of documents where there is reasonable ground that an offence under the *RTA* has been committed.

Discussion: This proposed change gives the Ministry more powers to investigate those in breach of the *RTA*. The impact to social housing providers should be minimal.

7. Increased Penalties

Under proposed amendments to section 238, the maximum fines for breaches of the RTA has been increased from $25K to $50K for individuals, and from $100K TO $250K for corporations.

Discussion: The proposed increase in the fines could assist in deterring unscrupulous landlords from breaching the *RTA*. There is impact to social housing providers only if they are in breach of the *RTA*.

Changes with Little or No Impact to Social Housing Providers

8. Exemption for land lease home in employment context

A new section 5.2 is proposed that would exempt a land lease home from the RTA if the unit is owned by an employer and provided to an employee in connection with their employment. This exemption applies even if the employee is terminated or is deceased.

Discussion: The proposed change would make it easier to end tenancies where the unit is provided as part of employment situation. This is important as the employer will likely want to have the unit available for a new employee.

The impact to social housing providers is minimal as these types of arrangements generally do not exist with social housing providers.

9. Rent increase deemed not void

Currently, a tenant or former tenant can pursue money collected illegally by the landlord, usually as a result of above-guideline rent increases.

The proposed new subsection 135(1) provides that the tenant or former tenant cannot pursue reimbursement of the money collected illegally if the tenant has paid the increased rent for a period of 12 consecutive months and not filed an application with the LTB.

Discussion: This change would make it harder to pursue landlords that illegally increased rent on unsuspecting tenants.

Technically, social housing providers will not be subject to this rule as they can increase rent above the guidelines through section 7 exemptions. At the same time, errors in rent charges are possible. Thus, landlords, including social housing providers, need to determine if they wish to

have internal policies that would allow them to compensate tenants, where the landlord had incorrectly charged rent, no matter how long the error has been going on for.

10. Mobile home parks and lease communities

There are changes stipulated for mobile home parks and land lease communities to include certain prescribed services and facilities within the definition of “rent”. Furthermore, it is proposed that above-guideline rent increases can be applied for all types of capital expenditures. Currently, the above-guideline rent increases are only allowed for capital expenditures for infrastructure work that is required by a government.

Discussion: This proposed change could facilitate more investment by landlords into their communities as they would now be able to recover the cost through above-guideline rent increases.

There is no impact to social housing providers contemplated through this change.

.

APPENDIX 1 – OMHC

Below is a description of the OMHC mandate.[12]

1. Administration of public housing debt to Canada Mortgage and Housing Corporation (CMHC) and the Province.
2. Managing OMHC's contingent liability to CMHC with respect to certain social housing mortgages for non-profit housing programs in accordance with OMHC's loan insurance agreement with CMHC.
3. Managing any environmental liabilities under the *Environmental Protection Act* (EPA) on public housing properties formerly owned by OMHC that were transferred to Local Housing Corporations.
4. Managing and administering Affordable Home Ownership Program legacy mortgages transferred to it by Minister's Order in accordance with the OMHCA.
5. Using the monies in the Affordable Home Ownership Revolving Loan Fund and the monies received under the transferred Affordable Home Ownership Program mortgages, including interest earned on the monies, only for housing purposes in accordance with a Minister approved by-law.
6. Administering marketable and forgivable loans and mortgages related to former housing programs, including loans and mortgages that were owned by OMC and transferred to OMHC on April 1, 2015.
7. Administration of loans to colleges and universities under the Ontario Student Housing program for the development of on-campus student housing.
8. Administration of housing programs, or parts of housing programs, as may be prescribed under the OMHCA, including making grants and loans related to such prescribed programs and taking security for such loans.
9. Making housing related loans, grants, guarantees or advances in accordance with the OMHCA and the HAD.
10. Carrying out building developments as defined under the HDA in accordance with the OMHCA and HAD.
11. Coordinating and arranging all borrowing, financing, short-term investment of funds and financial risk management activities through the Ontario Financing Authority, unless the Minister of Finance approves otherwise.
12. Subject to applicable legislation, such other matters which are within OMHC's statutory mandate as may be assigned to, or may have been assigned to OMHC by the Minister.

[12] See OMHC mandate at https://www.ontario.ca/page/ontario-mortgage-and-housing-corporation