

SH *notification*

social housing

Subject: Amendments to local eligibility rules related to income and asset limits in Ontario Regulation 367/11 under the Housing Services Act, 2011

Legislation/Regulation

Operational

Release 22-03

The purpose of this notification is to provide an overview of amendments to Ontario Regulation 367/11 under the *Housing Services Act, 2011* (HSA) related to local income and asset limits eligibility rules for rent-geared-to-income (RGI) assistance.

Currently, under the HSA, Service Managers can set local income and asset limit eligibility rules for RGI assistance but the HSA does not require Service Managers to do so, leading to inconsistencies in how eligibility for rent-geared-to-income assistance is determined across the province. If a Service Manager chooses to set local asset and/or income limits, they must meet the requirements set out in regulation.

Ontario Regulation 367/11 is being amended to require Service Managers to set local income and asset limit rules to determine eligibility for RGI assistance.

As part of the amendments, **Service Managers will be required to:**

1. Set local income limits at least at the Household Income Limits (HILs) prescribed for their service area under [Ontario Regulation 370/11](#).
 - In alignment with RGI calculation rules in Ontario Regulation 316/19, household income will be based on net income (i.e., line 23600) as indicated on the notice of assessment of household members, less any Registered Disability Savings Plan income and plus any Registered Disability Savings Plan amounts repaid.
 - The income of full-time students will be excluded from determining household income.
 - Service Managers will continue to have flexibility to set different income limits for units of different types and sizes and for units in different parts of their service area.
 - Service Managers will continue to have flexibility to exclude payments from household income (e.g., universal child care benefits).
2. Set local asset limits at least at \$50,000.

- Service Managers will be allowed to set different asset limits by household size and type (e.g., senior households).
 - Service Managers will continue to have flexibility to set different asset limits for units of different types and sizes and for units in different parts of their service area.
 - The current list of required asset exclusions in regulation will be updated so that registered retirement plans (i.e., Registered Retirement Savings Plans and Registered Retirement Income Funds) are excluded from the value of household assets.
 - Service Managers will continue to have flexibility to exclude additional assets from the value of household assets (e.g., compensation payments for pain and suffering).
3. Periodically review and update their local income and asset limit rules, at their discretion.
- Although no specified period for this requirement will be outlined in regulation, Service Managers are encouraged to review their local income and asset limit rules as part of their periodic review of local Housing and Homelessness Plans.

How will the new required local income and asset limits be applied to households?

Service Managers will be required to apply local income limits as part of determining initial eligibility for RGI assistance (i.e., new RGI applicants and applicants on waitlists) and apply local asset limits as part of determining both initial and continued eligibility for RGI assistance (i.e., new RGI applicants, applicants on waitlists, and households in receipt of RGI assistance).

Service Managers will be required to exempt social assistance clients (i.e., Ontario Works and Ontario Disability Support Program clients) from their local asset limit rules. This exemption will only apply in cases where all household members are part of a social assistance benefit unit.

At their discretion, Service Managers will have the flexibility to exempt households in extenuating circumstances from their local income and/or asset limit rules (e.g., survivors of domestic violence/human trafficking).

When do the changes take effect?

The amendments to Ontario Regulation 367/11 related to local income and asset limit rules will come into force on July 1, 2022. Service Managers will have a flexible one-year implementation period from the in-force date to meet the new requirements. All Service Managers must comply with the new requirements by July 1, 2023.

Until the Service Manager implements the new income and asset limit requirements, any local eligibility rules that were made by the Service Manager under sections 34 and 35, as they read immediately before they were revoked, continue to apply.

Service Managers are required to make reasonable efforts to notify households before implementing the new requirements.

Further Information

The amended regulation is available through the following link:

<https://www.ontario.ca/laws/regulation/r22242>

Should you have any questions, please contact Neshalia Mohindra, Manager, Community Housing Renewal Unit. Neshalia can be reached by e-mail at Neshalia.Mohindra@ontario.ca.

Peter Kiatipis



Director, Community Housing Policy Branch
Ministry of Municipal Affairs and Housing