

SH *notification*

social housing

Subject: Amendment to service level rules in Ontario Regulation 367/11 under the Housing Services Act, 2011

Legislation/Regulation

Operational

Release 22-02

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 service level rules.

Section 40 of the HSA requires Service Managers to provide assistance to a prescribed number of households whose income falls below the Household Income Limits (HILs), and to a prescribed number of high need households.

Current service level rules recognize only rent-geared-to-income (RGI) assistance in accordance with specific calculation and waitlist rules, as well as Service Manager-funded portable housing benefits (PHBs) that follow these waitlist rules (Schedule 4.1).

Effective July 1, 2022, Ontario Regulation 367/11 will be amended to allow additional types of Service Manager-funded housing assistance to count towards existing service levels when:

- 1) Households (other than households receiving social assistance) pay no more than 30% of their adjusted family net income on rent (See Schedule 4.2) **OR**
- 2) Are provided a benefit that follows existing PHB calculation rules and serves/prioritizes any client group (i.e., no requirement to follow RGI waitlist eligibility, priority, and selection rules) (See Schedule 4.3).

Any form of housing assistance that meets the requirements in items 1) or 2) as set out above may be included towards a Service Manager's service levels and there is no requirement to follow RGI eligibility, priority, and selection rules for these forms of assistance to count. Further details on these types of assistance that are now included within service levels are outlined in [Schedule 4.2 and Schedule 4.3 of O. Reg. 367/11](#).

There is a continued requirement that in order to count towards service levels, households served must have incomes at or below the relevant HILs for the service area (See [Ontario Regulation 370/11](#)).

What does Service Manager-funded housing assistance mean?

It means the subsidy or rent reduction provided to the household is funded by the Service Manager and is not funded by other levels of government. For example, households receiving assistance through the Canada-Ontario Housing Benefit (COHB) program are not included in service levels.

Do Service Managers still need to follow RGI eligibility, priority, and selection rules for RGI assistance?

Yes. As set out in Ontario Regulation 367/11, eligibility, priority, and selection rules for RGI assistance continue to apply to households receiving RGI as part of a legacy social housing program. These rules also apply for RGI units funded under Service Agreements.

Households Receiving Social Assistance

The regulation is also amended to include Service Manager-funded forms of housing assistance that serve social assistance clients when the household pays no more than their social assistance shelter allowance towards rent. More details on this can be found in Schedule 4.2 of O. Reg. 367/11.

Households Served in Urban Native Housing

Households with incomes at or below the HILs that are served with housing assistance funded by a Service Manager that meet the requirements set out in Schedules 4.1, 4.2 or 4.3 may also count towards service levels.

Rules for Removing Households from the Waiting List

Rules for removing households from a Service Manager’s waiting list remain unchanged (See [section 46 \(1\) paragraph 5.1](#)). Unless the Service Manager is satisfied that there are extenuating circumstances, a household shall be removed from the list if the household has accepted an offer of a portable housing benefit made by the Service Manager that meets all requirements set out in Schedule 4.1 – including following RGI waiting list eligibility, priority, and selection rules.

Households that accept other forms of assistance that can count towards service levels under Schedule 4.2 or 4.3, including portable benefits that do not follow RGI waiting list rules, cannot be removed from the waiting list.

Summary of Additional Forms of Assistance that Count Towards Service Levels

Households with incomes at or below the HILs are served with Service Manager-funded assistance that meets requirements set out below:

<p>Schedule 4.1 (Introduced in 2017)</p>	<p>Portable Housing Benefits that follow specific calculation and review rules, including following RGI waitlist eligibility, priority, and selection rules</p> <p><i>Note: Households that accept this form of assistance may be removed from the waiting list</i></p>
<p>Schedule 4.2 (New – Introduced in 2022)</p>	<p>Any form of housing assistance where households pay no more than 30% of their adjusted family net income on rent</p> <p>Households in receipt of social assistance must not pay more than their social assistance shelter amount</p> <p><i>Note: Households that accept forms of assistance under Schedule 4.2 may not be removed from the waiting list</i></p>
<p>Schedule 4.3 (New – Introduced in 2022)</p>	<p>Portable benefits that follow the same calculation and review rules for the amount of the benefit outlined in Schedule 4.1</p> <ul style="list-style-type: none"> • No requirement to follow RGI waiting list eligibility, priority, and selection rules <p><i>Note: Households that accept this form of assistance may not be removed from the waiting list</i></p>

When do the changes take effect?

The amendments to Ontario Regulation 367/11 related to service level requirements will come into effect on July 1, 2022.

Further Information

The amended regulation is available through the following link:
<https://www.ontario.ca/laws/regulation/r22242> (See Schedule 4.2 and Schedule 4.3)

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.

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