



## Durham Community Housing Directives

Housing Services Division | Financial Housing Services  
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<b>Subject:</b>	<b>In-situ RGI Applications</b>
<b>Directive Number:</b>	<b>RGI 2020-14</b>
<b>Date:</b>	<b>June 15, 2020</b>

### Purpose

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Establish guidelines for determining rent-geared-to-income (RGI) eligibility for market paying tenants and co-op members living with community housing providers in Durham.

### Background

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Market paying tenants and co-op members of housing providers may apply for RGI in their current unit. This is called an in-situ application, and it is made directly to the housing provider.

Housing providers may offer RGI to an in-situ applicant, without recourse to the Durham Access to Social Housing (DASH) wait list, if all of the following apply:

- The tenant/co-op member is eligible for RGI
- The housing provider is below target for RGI units
- The tenant lives in a unit within the allowable range of occupancy standards
- The tenant/co-op member has lived with the current housing provider for at least 12 months
- The tenant/co-op member's monthly shelter costs are more than 50% of gross household income
- The tenant/co-op member has had a recent, significant and unexpected change in circumstances that has led to the application for RGI.

If a housing provider has more than one in-situ applicant, the housing provider must ensure that eligible in-situ applicants with Special Priority (SPP) status are offered RGI before other in-situ applicants. In-situ applicants are otherwise offered RGI chronologically according to the date of their application.

## RGI Application and Eligibility

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In-situ applicants must complete the [Eligibility Verification – RGI and Modified Housing](#) and [Regional Consent](#) forms, and return them to their current housing provider. The housing provider (not DASH) is responsible for determining RGI eligibility and setting any applicable RGI charge.

**If the in-situ applicant is not eligible for RGI**, the housing provider will:

- Notify the tenant or co-op member that they are ineligible for RGI, including the reason for ineligibility and the right to request a Regional Review
- Notify DASH of the in-situ application and that the tenant or co-op member is RGI ineligible, including the reason for ineligibility
  - If the in-situ applicant is also on the DASH wait list, DASH will change the status of the application to Cancelled.
  - If the in-situ applicant is not on the DASH wait list, no further action is required.

**If the in-situ applicant is eligible for RGI**, the housing provider will determine if they also meet the criteria to grant immediate in-situ RGI without recourse to the DASH wait list. If they do, the housing provider will:

- Determine the RGI payable and notify the tenant or co-op member, including the right to request a Regional Review.
- Notify DASH of the in-situ application and that the tenant or co-op member has been granted RGI.
  - If the in-situ applicant is also on the DASH waiting list, DASH will change the status of the application to Cancelled.
  - If the in-situ applicant is not on the DASH wait list, no further action is required.

**If the in-situ applicant is eligible for RGI but does not meet the criteria for immediate in-situ RGI only because the housing provider is at or above target**, the housing provider will notify the tenant or co-op member that there is no current RGI subsidy available. The tenant or co-op member can opt to wait for subsidy to become available with their current housing provider or be added to the DASH wait list.

- If they opt to wait for subsidy to become available, it is the housing provider's responsibility to manage this. The housing provider does not need to notify DASH.
- If they opt to be placed on the DASH wait list, the housing provider will forward to DASH:

- Copy of notice to the tenant or co-op member that there is no subsidy available for immediate in-situ RGI, with explanatory note for DASH
- Copy of the Eligibility Verification – RGI and Modified Housing Application form
- Copy of the Regional Consent form.
- DASH will place the applicant on the wait list.

**If the in-situ applicant is eligible for RGI but does not meet the criteria for immediate in-situ RGI (other than for target),** the housing provider will notify the tenant or co-op member that they are ineligible for immediate in-situ RGI but may be added to the DASH wait list for RGI in a different unit. The housing provider must include the reasons for ineligibility and the right to request a Regional Review.

- If the tenant or co-op member does not want to be placed on the DASH wait list, no further action is required.
- If the tenant or co-op member wants to be placed on the DASH wait list, the housing provider will forward to DASH:
  - Copy of the notice to the tenant or co-op member that they are ineligible for immediate in-situ RGI, with explanatory note for DASH
  - Copy of the Eligibility Verification – RGI and Modified Housing Application form
  - Copy of the Regional Consent form.
- DASH will place the applicant on the wait list.

### **Special Priority (SPP)**

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SPP status is determined by DASH. If an in-situ applicant indicates that they want to apply for SPP, the housing provider must determine when to send the application to DASH to assess for SPP status. DASH only needs to determine SPP status if the housing provider has other in-situ applicants, and the tenant or co-op member is requesting priority over these applicants due to human trafficking or abuse.

If the in-situ applicant is not eligible for RGI, no action is required. DASH does not need to assess for SPP status.

If the in-situ applicant is eligible for immediate in-situ RGI and the housing provider has no other in-situ applicant requests, no action is required. DASH does not need to assess for SPP status.

If the in-situ applicant is eligible for immediate in-situ RGI and the housing provider has other in-situ applicant requests, the housing provider must send the application to DASH to assess for SPP status.

- The housing provider will send copies of the Eligibility Verification – RGI and Modified Housing Application from and the Regional Consent form to DASH, with an explanatory note that the applicant has been approved for immediate in-situ RGI and wants to be assessed for SPP.
- DASH will notify the tenant/co-op member and the housing provider of the outcome of the SPP application.
- If SPP status was granted, the housing provider will place the tenant or co-op member ahead of other eligible in situ applicants on their wait list.
- The housing provider will notify DASH when RGI is granted, and DASH will change the status of the application to Cancelled as required.

If the in-situ applicant does not meet the criteria to grant immediate in-situ RGI, but is otherwise RGI eligible and wants to be placed on the DASH wait list for a different unit, the housing provider must send the application to DASH to assess for SPP status.

- The housing provider will forward to DASH:
  - Copy of notice to the tenant or co-op member that they are ineligible for immediate in-situ RGI, with an explanatory note to DASH including that the applicant wants to apply for SPP
  - Copy of the Eligibility Verification – RGI and Modified Housing Application form
  - Copy of the Regional Consent form.
- DASH will assess for SPP and place the applicant on the DASH wait list accordingly.

## **RGI Targets**

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Housing providers must normally be below target for RGI before offering immediate in-situ RGI to a current tenant or co-op member.

Housing providers may request approval from the Housing Services Division to temporarily exceed their RGI target to accommodate a request for in-situ RGI.

## Occupancy Standards

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In-situ applicants must normally be living in a unit within the allowable range of occupancy standards to be eligible for in-situ RGI.

Housing providers may grant immediate in-situ RGI to a tenant or co-op member living in a smaller unit at their discretion.

Housing providers may grant immediate in-situ RGI to a tenant or co-op member living in a larger unit with the approval of the Housing Services Division. If approved, the tenant or co-op member will be required to move to a smaller unit as soon as one becomes available. The tenant or co-op member will be placed without delay on the housing provider's internal transfer list, the DASH wait list or both.

The housing provider may place the tenant or co-op member on their internal transfer list for immediate transfer at their sole discretion. If the tenant turns down an internal transfer, they will become ineligible for RGI.

The housing provider will place the tenant or co-op on the DASH wait list if:

- their current housing property does not have suitably sized units for transfer
- the housing provider declines to place the tenant or co-op member on their internal transfer list
- the tenant or co-op requests to be added to the DASH wait list.

To add the tenant or co-op member to the DASH wait list, the housing provider will have them complete the [Transfer Application](#) without delay, and will then forward it to DASH on their behalf. If the tenant or co-op member refuses an offer from the DASH wait list, they will become ineligible for RGI.

## 12 Months' Residency

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In-situ applicants must normally have been living in their current housing provider for at least 12 months.

Housing providers may grant immediate in-situ RGI to tenants or co-op members who have lived in their unit for less than 12 months in extenuating circumstances (e.g. death of a spouse).

## Shelter Costs

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In order to be eligible for in-situ RGI, a tenant or co-op member's monthly market shelter costs must have increased to more than 50 per cent of their gross household income.

Shelter costs include:

- Current market rent or housing charge
- Average fuel and electricity costs
- Sector support costs
- Mandatory cable, parking or other costs associated with the rent or housing charge
- Tenant or member insurance paid for their unit

Housing providers may average income and costs over whatever time frame they deem reasonable and should round ratios up to the nearest whole percentage.

### **Significant and Unexpected Change**

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In order to be eligible for in-situ RGI, a tenant/co-op member must have had a recent, significant and unexpected change in circumstances that led to their application for in-situ RGI.

Housing providers will determine if the change could not reasonably have been expected and whether it is significant. Housing providers should exercise their discretion in the best interest of the tenant or co-op member and their communities.

### **Current Tenants on DASH Wait List**

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Current market paying tenants and co-op members may be on the DASH wait list and may express interest in vacancies posted by their current housing provider. If DASH refers a current market tenant or co-op member for a vacancy in the same property in which they live, the housing provider may offer them RGI in their current unit. The vacant unit may then be offered to a market applicant or the next DASH applicant, as applicable.

### **Effective Date**

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This directive comes into effect on the date it is issued.

### **Repealed Rules**

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This directive replaces Durham Social Housing Directive RGI 2019-03 In-situ Applications.

### **Legislative Authority**

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Ontario Regulation 367/11, s. 48