

## Housing In Peel

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### Subject: Pursuit of Income

**Date:** October 1, 2019  
**Replaces:** September 20, 2013

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**Applicable to** The policy and procedures contained in this document apply to the following housing providers:

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|--|---|
| <input checked="" type="checkbox"/> Municipal & Private Non-Profit | <input type="checkbox"/> Federal Non-Profit   |
| <input checked="" type="checkbox"/> Co-operatives                  | <input checked="" type="checkbox"/> Rent Supplement*<br><small>*incl. former OCHAP/CSHP</small> |
| <input checked="" type="checkbox"/> Peel Access to Housing (PATH)  | <input checked="" type="checkbox"/> Internally Funded/ROP Administered                          |

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**Content** This document contains the following information:

<a href="#">Purpose</a>
<a href="#">Background</a>
<a href="#">Peel's Policy</a>
<a href="#">Requirements of Housing Providers</a>
<a href="#">Pursuit of Income while on CWL</a>
<a href="#">Monitoring Compliance</a>
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**Purpose** The purpose of this document is to provide housing providers with:

- Peel's Pursuit of Income Policy under the *Housing Services Act, 2011* (HSA)
- processes and procedures that support the Pursuit of Income

- Policy, and
- Information about the types of income households are required to pursue under the Pursuit of Income Policy.

**Background**      ***Social Housing Reform Act, 2000 (SHRA)***

Under the SHRA households were required to pursue income (OW, EI, support and/or pension benefits) if the housing provider was of the opinion the household may be eligible to receive it.

***Housing Services Act, 2011 (HSA)***

Under the HSA a household may be required to pursue specific types of income as a condition of eligibility if the housing provider is of the opinion a household member may be eligible for one of the prescribed income types, which no longer includes income from the Canada Pension Plan (CPP) (i.e. A pursuit of income local rule under the HSA cannot require households to pursue CPP as a condition of eligibility as was permitted under the SHRA).

**Peel’s Policy**      Peel’s policies pertaining to the pursuit of income are provided in the following six sections:

<a href="#">Requirement for Household to Pursue Income</a>
<a href="#">Types of Income to Pursue</a>
<a href="#">Exception – Extenuating Circumstances</a>
<a href="#">Response Timeframe</a>
<a href="#">RGI Ineligibility due to Failure to Pursue Income</a>
<a href="#">Policy Rationale</a>
<a href="#">Reasonable Effort</a>
<a href="#">Special Priority Households</a>
<a href="#">Sponsored Immigrants</a>

**Requirement for Household to Pursue Income**

In Peel, under the authority of the HSA (O. Reg. 367/11, s.31), a rent-geared-to-income (RGI) household is required to pursue specific types of income (as prescribed in the HSA) if the housing provider is of the opinion a household member may be eligible to receive one of the income types and extenuating circumstances have not been identified.

When a housing provider is of the opinion a household member may be eligible to receive one of the income types the housing provider must inform the household of their requirement to pursue in writing. (The *Notifying Household of Requirement to Pursue Income* section of

this document identifies the information the notice must include).

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**Types of  
Income to  
Pursue**

Households can be required to pursue the following types of income:

- Ontario Works (OW)
- Support payments (child support or spousal support)
- Employment Insurance Benefits (EIB)
- Seniors Benefits
  - Old Age Security (OAS)
  - Guaranteed Income Supplement (GIS)
  - Guaranteed Annual Income System (GAINS)
- Support from a sponsor for a sponsored immigrant

**Important:** The income types listed above are the only income types households can be required to pursue as a condition of RGI eligibility.

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**Exception –  
Extenuating  
Circumstances**

If there are extenuating circumstances under which a household member is unable to pursue income, or that make it unreasonable or unsafe for the member to pursue the income, the housing provider can defer the requirement to pursuit income.

A household will need to provide verification of the extenuating circumstances from a third party (e.g. police report, Doctor's letter). If third party verification is not available the household can sign an affidavit to serve as verification of the extenuating circumstances.

Housing providers will need to assess the validity of extenuating circumstances on a case by case basis.

In cases where the housing provider is satisfied extenuating circumstances exist the housing provider should review the household's circumstances at the annual review to determine if the extenuating circumstances have changed such that the household's pursuit of income is now reasonable.

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**Response  
Timeframe**

Households will be given 30 calendar days from date the household receives the written notice to provide verification to the housing provider that the income is being pursued (e.g. confirmation of application) or alternatively has contacted the housing provider to declare extenuating circumstances.

Housing providers are to assume the household receives the written

notification 5 business days following the date notice is mailed.

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**RGI  
Ineligibility  
due to Failure  
to Pursue  
Income**

A household is ineligible for RGI assistance if they fail to:

- make *reasonable effort* to obtain the specified income within 30 days, or
- respond to the housing provider’s notification to identify any issues or reasons that prevent the member from
  - meeting the 30 day time frame, or
  - pursuing the income at all (i.e. extenuating circumstances).

Reminder: A household may remain eligible for RGI if they cannot pursue income due to extenuating circumstances, but the extenuating circumstances would have to be confirmed by the housing provider meaning the household must follow up with the housing provider following receipt of the notification to declare and provide verification of the extenuating circumstances.

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**Policy  
Rationale**

Feedback received from stakeholders during Peel’s facilitated HSA local rule consultation sessions supported maintaining a local rule for the pursuit of income in Peel as it supports

- integrity of the affordable housing program
  - the use of public funds, and
  - households in working towards self-sufficiency.
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**Reasonable  
Effort**

For the purpose of this policy, “*Reasonable Effort*” means the member of the household (that may be eligible for the income) has at minimum:

- completed and submitted an application for the income
- submitted all required supporting documentation to the party determining eligibility for the income or is working on obtaining all required documentation (see note below), and
- provided verification of efforts to the housing provider.

Note: There may be situations where the tenant/member does not have all the documents or information required for the application and may need longer than 30 days to obtain them. In this situation, the housing provider should be satisfied that the member is making a reasonable effort to obtain the information/documents.

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**Special  
Priority  
Households**

If a special priority member of a household believes that s/he will be at risk of being abused and/or a victim of violence if s/he attempts to obtain information or a document necessary to pursue the income s/he

may be eligible for a housing provider should not require the member to pursue the income at the current time.

The housing provider may:

- request that the tenant/member sign an affidavit to this effect, and
- follow up with the household member at a future date to assess whether circumstances have changed such that pursuing the income would no longer put the household member at risk.

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## **Sponsored Immigrants**

### **Requirement to Pursuit Income (i.e. sponsorship payments)**

Sponsored immigrants – including sponsored immigrants that have received Canadian citizenship – are expected to pursue income from their sponsor if:

- their sponsorship agreement is still in effect and,
- they do not live with the sponsor.

Sponsored immigrants that live with their sponsor in the unit are not expected to pursue income.

### **Requirements of Housing Provider**

If the tenant/member documents show that the sponsorship agreement is still in effect, the housing provider will

- document the name, address and telephone number of the sponsor in the tenant/member's file
- request that the tenant/member pursue an income agreement with the sponsor, and
- inform the housing provider of the result within 30 calendar days.

Since there are no established rates for sponsorship payments housing providers must not calculate the RGI based on a deemed (or assumed) amount.

### **Exceptions to Pursuit of Sponsorship Payments**

Housing providers may temporarily waive a tenant/member's responsibility to pursue income from their sponsor if:

- The sponsor is in receipt of OW or ODSP;
- The sponsor is in receipt of OAS, GIS or GAINS; and/or
- The pursuit of support may place a victim of family violence at risk

of further abuse because the sponsor was the abuser.

The housing provider may permanently waive the sponsorship agreement if the sponsor is deceased.

### Requirements of Housing Provider

If a housing provider waives the requirement to pursue sponsorship payments the housing provider will:

- verify and document the reason in the household's file, and
- review the file annually to determine if the reasons still apply.

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### Requirements of Housing Providers

This section of the document informs housing providers of their requirements under the Pursuit of Income Policy and processes to follow to ensure requirements are met.

Requirements are as follows:

<a href="#">Reviewing RGI eligibility</a>
<a href="#">Notifying household of requirement to pursuit income</a>
<a href="#">Household has pursued the income</a>
<a href="#">Failure to pursue income</a>

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### Reviewing RGI eligibility

Housing providers are required to review a household's eligibility for RGI assistance:

- at the time the household is offered a unit
- at the annual review, and
- whenever a tenant/member declares a change.

An RGI eligibility review includes determining whether any member of the household may be eligible to receive specific types of income not currently being received.

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### Notifying Household of Requirement to Pursuit Income

If a housing provider is of the opinion that a tenant/member may be eligible for an income type prescribed under the HSA, the housing provider will notify the household **in writing** of the following:

- type of income the household member may be eligible for and therefore required to pursue as a condition of RGI eligibility
- household member's requirement to make reasonable effort to

apply for the income and to provide verification of eligibility decision for the income type to housing provider

- timeframe to submit verification to housing provider that reasonable effort has been made (30 days in Peel)
- decision of RGI ineligibility and removal of the household's subsidy that will result **if** within 30 days the household fails to
  - pursue the income, or
  - follow up with the housing provider to discuss extenuating circumstances that prevent the household member from pursuing the income.

Note: If the member has provided verification of their application for the income and a decision has not been made within the 30 days, the housing provider can allow an additional 30 days for the member to confirm their receipt of or ineligibility for the income.

A sample Notice to Pursuit Income letter is included in [Appendix I](#).

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**Household has pursued the income**

Once the household has provided verification they have pursued the income, the housing provider will allow the household:

- another 30 calendar days to begin to receive the income before following up on the result of the application for income, or
- more than 30 days if
  - documentation from the income source verifies that eligibility will not be determined or payments of the income will not start within the next 30 days (note: some programs can take 4 to 8 weeks for payments to commence), or
  - the income source is delayed in determining the household's eligibility or in issuing the income if member eligible for it. (Note: in this case the housing provider should request follow up from the household to confirm the delay is due to the income source and not the member's effort to pursuit).

If after the household member applies for the income the member fails to complete any follow up required to determine eligibility or to start receiving the income type the household can still be determined ineligible for RGI.

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**Failure to pursue income**

If a household does not adhere to the requirements outlined in this HIP (i.e. fails to pursue the income type the housing provider has identified a household member may be eligible to receive or fails to provide any of the required documentation) the housing provider will:

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- meet with or attempt to meet with a household prior to issuing a Loss of Subsidy Notice
- determine the household is ineligible for RGI assistance
- Issue a Loss of Subsidy Notice within seven (7) days of the ineligibility decision to advise the household that they are no longer eligible for RGI assistance that includes:
  - date of the decision and reason(s) for the decision
  - whether a review of the decision can or cannot be requested, and,
  - if a review can be requested, the timeline and process for a household to do so
- make a referral to a Region of Peel Housing Support Worker at the same time as issuing the notice, and
- remove subsidy after the 90 days have passed.

**Note:** See the [Requirement for Loss of RGI Subsidy Prevention Meeting \(Outstanding Information only\)](#) HIP policy.

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**Pursuit of Income while on CWL**

Peel Access to Housing (PATH) requires proof of income from households on the CWL when they reach unit readiness.

PATH does not require households on the CWL to pursue income but does (as a best practice) review the pursuit of income policy with households and recommends the household begin pursuing now as it will be required once the household starts receiving RGI subsidy.

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**Monitoring Compliance**

The Service Manager will monitor housing providers' compliance with the requirements set out in this HIP as part of the operational review.

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**Helpful Hints**

- Housing providers may implement the requirement to pursue income by issuing the written notice, where it applies, at the time of the household's next income review or annual eligibility review, whichever comes first.
  - RGI eligibility depends on making reasonable efforts to receive the income. The household should therefore make an application for the income within 30 days but will not necessarily start to receive the income in the 30 calendar day period.
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**Overview of Income Types**

An overview of the income types households can be required to pursue (including application and contact information) is provided at the end of this document ([Appendix II](#)).

Tip: Housing providers can include the Overview of Income Types table in the notification they send to households that are required to pursue income.

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**Legislation**      [Housing Services Act, 2011](#), s. 42  
[O. Reg. 367/11](#), s. 31

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**Questions**      If you have questions about this document, please contact your Housing Supply Specialist.

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**Additional Information**

- [Ontario Non-Profit Housing Association](#)
- [Canadian Housing Federation of Canada](#)
- [Citizenship and Immigration Canada](#) (information for sponsored immigrants' rights and resources if experiencing abuse)

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## Appendix I: Sample Pursuit of Income Letter

*Date*

*Tenant/Member Name*

*Address*

Dear *(Insert Tenant/Member's Name)*:

The purpose of this letter is to notify you and your household of your requirement to pursue certain types of income as a condition of ongoing RGI eligibility if a member(s) of the household may be eligible for any of the identified income types.

This requirement to maintain your RGI eligibility is authorized under the *Housing Services Act, 2011*, s. 42(1); O. Reg 367/11, s. 31.

Based on the information *(insert name of housing provider)* has for your household, it appears you may be eligible to receive the following type(s) of income:

- |  |  |
|--|--|
| <input type="checkbox"/> Ontario Works           | <input type="checkbox"/> Pension (e.g. Old Age Security)   |
| <input type="checkbox"/> Family or Child Support | <input type="checkbox"/> Support under the Immigration Act |
| <input type="checkbox"/> Employment Insurance    |  |

For your household to remain eligible for RGI subsidy, you must **make reasonable efforts within the next 30 days** to apply for the type of income identified above and to obtain a decision of eligibility for the income type. Verification you have applied or are receiving the income must be submitted to *(insert name of housing provider)* within the next 30 days from the date you received this letter.

If there is a reason you cannot apply for and verify eligibility for the income type within the next 30 days of receiving this letter you must contact *(insert name of housing provider)* to discuss the circumstances. If reasonable efforts are being made you may be able to receive an extension to the 30 days. Please note extensions are assessed on a case by case basis and are only given if extenuating circumstances and if reasonable efforts to pursue the income are verified.

If you fail to provide this information to *(insert name of housing provider)* or fail to make reasonable efforts to pursue the income your household will be ineligible for RGI subsidy which means your rent/housing charge will increase to market.

If you have any questions, please contact *(insert name and phone number of contact)*.

Sincerely,

(Insert Name and Title)

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(Insert Name of Housing Provider)  
(Insert Address and Contact Information)

## Appendix II: Overview of Income Types – Information for tenants/members that need to pursue income

	<b>Ontario Works (OW)</b>	<b>Employment Insurance Benefits (EIB)</b>	<b>Sponsorship</b>
<b>Overview</b>	<p>Ontario Works (OW) is a financial and employment assistance program intended to assist people in temporary financial need.</p> <p>Individuals eligible for the OW program will receive:</p> <ul style="list-style-type: none"> <li>-funds to assist with basic needs such as food and shelter, and</li> <li>-employment supports including a wide range of training and/or job search activities to help prepare individuals for work and to help them maintain it.</li> </ul>	<p>Employment Insurance (EI) is paid out by Service Canada to individuals that</p> <ul style="list-style-type: none"> <li>-have been laid off from work or had a loss of employment</li> <li>-are on maternity or parental leave, or</li> <li>-are temporarily unemployed due to sickness or accident.</li> </ul> <p>Individuals must have also paid a particular amount into the EI program during previous employment and for a minimum period of time as determined by Service Canada.</p>	<p>The sponsor of a sponsored immigrant has made an agreement with Citizenship and Immigration (CIC) to financially support the individual coming into Canada (i.e. the sponsored immigrant) for the length of time required by CIC under the sponsorship program. A sponsor who ceases to financially support the sponsored immigrant for the duration of the agreement is considered to be in sponsorship default.</p>
<b>How to Apply</b>	<p>Complete an <a href="#">online application</a>, or call:</p> <ul style="list-style-type: none"> <li>o 905-793-9200 (Region of Peel)</li> <li>o 1-800-327-5379 (Toll free number)</li> </ul>	<p>Complete an <a href="#">online application</a> through Service Canada.</p>	<p>Refer to OW information if unable to obtain income from Sponsor.</p>
<b>Documents Required</b>	<p>Determined by each applicant's circumstances, but generally at a minimum:</p> <ul style="list-style-type: none"> <li>-birth certificates &amp; health cards;</li> <li>-lease/occupancy agreement;</li> <li>-Citizenship papers (if applicable)</li> </ul> <p>A full list of documents that may be required for the application process (depending on applicant's circumstances) is available on the <a href="#">MCSS website</a>.</p>	<ul style="list-style-type: none"> <li>-Record of Employment (from previous employer)</li> <li>-Social Insurance Number</li> <li>-Identification (e.g. birth certificate; passport)</li> <li>-Employment income details (T4s or pay stubs)</li> </ul> <p>-Application for sick benefits also requires medical documentation.</p>	<p>N/A</p>
<b>Additional Information</b>	<p>Under the OW program an OW applicant (and if applicable the applicant's spouse and/or dependent(s)) is called a Benefit Unit.</p> <p>OW also requires support payments be pursued if child and/or spousal support is not in pay.</p>	<p>It generally takes 4 to 8 weeks for Service Canada to make a decision on an EIB application.</p> <p>New household members that ceased employment during the six-month period prior to being housed are also required to make an application for EIB</p>	<p>If a sponsored immigrant is not receiving support from their sponsor and applies for OW, that sponsor is considered to be in "sponsorship default" and cannot sponsor anyone else into Canada unless they repay the money OW issues to the sponsored immigrant.</p>
<b>Websites</b>	<p>Ministry of Community &amp; Social Services (MCSS): <a href="http://www.mcass.gov.on.ca/en/mcass/programs/social/index.aspx">http://www.mcass.gov.on.ca/en/mcass/programs/social/index.aspx</a></p> <p>Region of Peel: <a href="http://www.peelregion.ca/ow/">http://www.peelregion.ca/ow/</a></p>	<p>Employment Insurance: <a href="http://www.hrsdc.gc.ca/eng/jobs/ei/index.shtml">http://www.hrsdc.gc.ca/eng/jobs/ei/index.shtml</a></p>	<p>Canadian Citizenship and Immigration: <a href="http://www.cic.gc.ca/english/immigrate/sponsor/index.asp">http://www.cic.gc.ca/english/immigrate/sponsor/index.asp</a></p> <p>(Or, refer to websites for OW)</p>

	<b>Federal (OAS &amp; GIS) &amp; Provincial (GAINS) Pensions</b>	<b>Support</b>
<b>Overview</b>	<p><u>Old Age Security (OAS):</u> -Generally most Canadians 65 and over are eligible for OAS if they meet the required legal status and residence requirements. -Employment history is not a factor in determining eligibility for OAS. -Individuals not eligible for a full OAS pension may be eligible for a partial OAS pension.</p> <p><u>Guaranteed Income Supplement (GIS):</u> -Canadians receiving basic, full or partial OAS with little or no other income are eligible for GIS.</p> <p><u>OAS &amp; GIS:</u> Federal pensions administered by Service Canada under the Department of Employment and Social Development (formerly known as Human Resources and Skills Development Canada).</p> <p><u>Ontario Guaranteed Annual Income System (GAINS):</u> -Provincial pension administered by Ontario Ministry of Finance (MOF) -Generally paid to residents of Ontario 65 and older who are receiving the federal OAS and GIS. Residency requirements and income levels are also assessed as part of the eligibility criteria.</p>	<p><u>Child Support:</u> Parents have a legal responsibility to support their dependent child/children and are expected to pay child support if they do not live with their child/children. (Note: "Parent" includes biological, adoptive and step parent).</p> <p><u>Spousal Support:</u> An individual may have an obligation to pay support for a spouse from whom they have separated or divorced.</p> <p><u>Guidelines to Pursue:</u></p> <p>A tenant/member should pursue support if the tenant/member --has a court order or an informal agreement for support payments for themselves and/or their children but are not receiving payments from the ex-spouse and/or absent parent, or --have not previously pursued support payments. Note: The court can take up to 30 days to file an initial application.</p> <p>Note: Households in receipt of OW should already be pursuing support as a condition of OW eligibility.</p>
<b>How to Apply</b>	No application is necessary. Residents that meet GAINS eligibility requirements will automatically receive it if the household has filed income tax as MOF uses information received from <a href="#">Employment and Social Development Canada</a> (i.e. HRSDC); and provided on the household's annual income tax return).	<p>-Complete an Application (Form 8) and a Financial Statement (Form 13-Support Claims or Form 13.1-Property and Support Claims) -Contact local Family Court for additional application information.</p> <p>If already have support order but support not in pay contact <a href="#">Family Responsible Office</a> (FRO) to register order for enforcement.</p>
<b>Documents Required</b>	<p>-Social Insurance Number -Birth Certificate - Baptismal Record -If applicant a homemaker: birth certificates of children -If foreign born: Citizenship/landed status &amp; proof of years of residency</p>	Access forms on the Ontario Court Forms Assistant website: <a href="http://ontariocourtforms.on.ca/en/">http://ontariocourtforms.on.ca/en/</a>
<b>Additional Information</b>	<p>If a household that may be eligible for a pension has not filed an annual income tax return the household will be required to do so as part of reasonable efforts to pursue pension income.</p> <p>Reminder that tenants/members <u>under</u> the age of 65 years are <u>not</u> required to apply for OAS, GIS or GAINS.</p>	<p>Households pursuing support as part of their OW eligibility must notify housing provider if they start to receive support.</p> <p>If a tenant/member has a court order for support but is not receiving support income, the RGI rent must not be based on the amount specified in the court order (i.e. the "deemed amount").</p>
<b>Website</b>	<ul style="list-style-type: none"> <li>• <a href="#">Old Age Security (OAS) Program</a></li> <li>• <a href="#">Guaranteed Income Supplement (GIS)</a></li> <li>• <a href="#">Guaranteed Annual Income System (GAINS)</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Ministry of the Attorney General – Family Law</a></li> <li>• <a href="#">Family Law Information Centre</a> – Locations and Contact list</li> <li>• <a href="#">Family Responsible Office</a></li> </ul>