

Policies and Procedures

Subject: Pursuit of Income

Date: February 15, 2024

Replaces: July 1, 2021

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 checked="" type="checkbox"/> Federal Subsidies |
| <input checked="" type="checkbox"/> Co-operatives | <input checked="" type="checkbox"/> Rent Supplement*
*incl. former OCHAP/CSHP |
| <input type="checkbox"/> Centralized Waiting List (CWL) | <input checked="" type="checkbox"/> Internally Funded/ROP
Administered |

Content This document contains the following information:

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Legislation *Housing Services Act, 2011 (HSA), Ontario Regulation [367/11 s.31](#)*

Purpose This document outlines when a Housing Provider should issue a Pursuit of Income notice to a tenant/member in receipt of RGI assistance.

Policy As per the Housing Services Act, 2011 [O. Reg. 367/11 s.31](#), household members must pursue all income types prescribed in the HSA that they may be eligible to receive.

Housing Providers are required to review a household's eligibility for RGI assistance and issue a pursuit of income notice if a household member(s) does not have income:

- at the time the household is offered a unit
- at the annual review

During the RGI eligibility review, it may be determined that a household member is eligible to receive income not currently being received.

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

- Ontario Works (OW)
- Support payments (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.

Notifying Household of Requirement to Pursue As per the Housing Services Act, 2011 [O. Reg 367/11 s.31](#), household members must pursue all income types prescribed in the HSA that they may be eligible to receive. In the event the Housing Provider is of the opinion that a member of a household may be eligible to receive income and the member is not receiving such income, the Housing

**Income:
Written
Notice**

Provider will notify the household in writing of the following:

- Type of income the household member may be eligible for and required to pursue as a condition of RGI eligibility
- Household member's requirement to apply for the income and to provide verification of their application to Housing Provider within 30 days of receiving written notice
- That the households will be found ineligible to receive RGI and removal of the household's subsidy will result if within 30 calendar 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 household has provided verification of their application for 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](#)

NOTE: Housing Providers that send any notice to a household via Canada Post, are to assume the notice was received 5 business days after it was mailed.

**Household
has Pursued
Income**

Once the household has provided verification that they have pursued the income, the Housing Provider will allow the household:

- An additional 30 calendar days to begin to receive the income before following up on the result of the application for income, or
- More than 30 calendar 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.

**Exceptions:
Extenuating
Circumstances**

If there are extenuating circumstance(s) under which a household member is unable to pursue income, the Housing Provider can temporarily defer the requirement.

A household is required to provide verification of the extenuating circumstance(s) from a third party (e.g. police report, Doctor's letter). If third party verification is not available, the household will be required to provide a signed letter that will serve as verification.

Housing Providers will need to assess the validity of extenuating circumstances on a case by case basis. If it is determined that extenuating circumstances exist, the Housing Provider will review the households circumstances every 30 days to determine if the extenuating circumstance has changed.

**RGI
Ineligibility:
Failure to
Pursue
Income**

If a household fails to pursue income or provide any of the required documentation within 30-days, the Housing Provider will:

- 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 90-day Loss of Subsidy Notice advising the household that they are no longer eligible for RGI assistance and include the following in the notice:
 - Date of the decision
 - Reason(s) for the decision
 - Informing the household of their right to request a Service Manager Appeal, and
 - The timeline and process for a household to do so
 - Remove subsidy after the 90 days have passed.
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**Reasonable
Effort**

“Reasonable Effort” means the member of the household (who may be eligible for income) has, at minimum:

- Completed and applied for the income they may be eligible to receive
- Submitted all required documentation to the party determining eligibility for the income or is working on obtaining all required documentation (see note below), and
- Has provided verification of their efforts to the Housing Provider.

Note: There may be situations wherein the household 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.

**Special
Priority
Households**

If a special priority member of a household believes that they are at risk of mental and/or physical harm if they attempt to obtain information or the documentation necessary to pursue income, the 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 Pursue Income

Sponsored immigrants – including sponsored immigrants with 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 who live with their sponsor in the unit are not expected to pursue income.

Requirements of Housing Provider

If the household member's 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 the tenant/member pursues an income agreement with the sponsor, and
- Require an update on the status of the income agreement from the tenant/member within 30 calendar days.

NOTE: The minimum payment required from a sponsorship agreement

must be equal to or greater than the [Ontario Works basic needs amounts](#) that the household would be entitled to as a benefit unit.

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 Ontario Works or Ontario Disability Support Program
- 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 will permanently waive the sponsorship agreement if the sponsor is deceased.

Requirements of Housing Provider

If the requirement to pursue sponsorship payments is waived, 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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Additional Information

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

If you have questions pertaining to this document, please contact your Housing Specialist at the Region of Peel.

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 income that you may be eligible for as a condition of ongoing RGI eligibility.

This requirement to maintain your RGI eligibility is authorized under the; [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"/> Spousal Support | <input type="checkbox"/> Support under the Immigration Act |
| <input type="checkbox"/> Employment Insurance | |

For your household to remain eligible for an 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 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. Please note extensions are assessed on a case by case basis and are only given if extenuating circumstances and 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 an 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)

(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

	Ontario Works (OW)	Employment Insurance Benefits (EIB)	Sponsorship
Overview	<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"> -funds to assist with basic needs such as food and shelter, and -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. 	<p>Employment Insurance (EI) is paid out by Service Canada to individuals that</p> <ul style="list-style-type: none"> -have been laid off from work or had a loss of employment -are on maternity or parental leave, or -are temporarily unemployed due to sickness or accident. <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>
How to Apply	<p>Complete an online application, or call:</p> <ul style="list-style-type: none"> o 905-793-9200 (Region of Peel) o 1-800-327-5379 (Toll free number) 	<p>Complete an online application through Service Canada.</p>	<p>Refer to OW information if unable to obtain income from Sponsor.</p>
Documents Required	<p>Determined by each applicant's circumstances, but generally at a minimum:</p> <ul style="list-style-type: none"> -birth certificates & health cards; -lease/occupancy agreement; -Citizenship papers (if applicable) <p>A full list of documents that may be required for the application process (depending on applicant's circumstances) is available on the MCSS website.</p>	<ul style="list-style-type: none"> -Record of Employment (from previous employer) -Social Insurance Number -Identification (e.g. birth certificate; passport) -Employment income details (T4s or pay stubs) <p>-Application for sick benefits also requires medical documentation.</p>	<p>N/A</p>
Additional Information	<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 decide 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>
Websites	<p>Ministry of Community & Social Services (MCSS): http://www.mcass.gov.on.ca/en/mcass/programs/social/index.aspx</p> <p>Region of Peel: http://www.peelregion.ca/ow/</p>	<p>Employment Insurance: http://www.hrsdc.gc.ca/eng/jobs/ei/index.shtml</p>	<p>Canadian Citizenship and Immigration: http://www.cic.gc.ca/english/immigrate/sponsor/index.asp</p> <p>(Or, refer to websites for OW)</p>

	Federal (OAS & GIS) & Provincial (GAINS) Pensions	Spousal Support
Overview	<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 & 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>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 spousal support if the tenant/member --has a court order or an informal agreement for spousal support payments but are not receiving them, or --have not previously pursued spousal 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 spousal support as a condition of OW eligibility.</p>
How to Apply	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 Employment and Social Development Canada (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 Family Responsible Office (FRO) to register order for enforcement</p>
Documents Required	<p>-Social Insurance Number -Birth Certificate - Baptismal Record -If applicant a homemaker: birth certificates of children -If foreign born: Citizenship/landed status & proof of years of residency</p>	Access forms on the Ontario Court Forms Assistant website: http://ontariocourtforms.on.ca/en/
Additional Information	<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 spousal support but is not receiving them, the RGI rent must not be based on the amount specified in the court order (i.e. the "deemed amount").</p>
Website	<ul style="list-style-type: none"> • Old Age Security (OAS) Program • Guaranteed Income Supplement (GIS) • Guaranteed Annual Income System (GAINS) 	<ul style="list-style-type: none"> • Ministry of the Attorney General – Family Law • Family Law Information Centre – Locations and Contact list • Family Responsible Office

