



Housing Services Division  
 The Regional Municipality of Halton  
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## Community Housing Program Directives

### Directive No. 12

### Subject: Service Manager Review Committee

The Directions in this notice are to be implemented by the housing providers administered by the Region of Halton under the following programs.

<input checked="" type="checkbox"/>	Provincially Prescribed Non-Profit and Co-operative Housing Programs, including Public Housing
<input type="checkbox"/>	Federal Non-Profit Housing Programs
<input checked="" type="checkbox"/>	Rent Supplement
<input checked="" type="checkbox"/>	Halton Access to Community Housing (HATCH)
<input type="checkbox"/>	Other -

#### Effective Date:

January 1, 2021

#### Authority:

*Housing Services Act, 2011 s. 155, 158*  
*O. Reg. 367/11 s. 138*

#### Purpose:

To provide community housing providers and Halton Region staff with information about Halton Region's review process under the HSA.

#### Background:

Section 155 of the *Housing Services Act, 2011* (HSA) states that the Service Manager must have a system for dealing with reviews, including a review body.

Housing providers and tenants/members or HATCH and applicants are encouraged to resolve issues themselves wherever possible. The Service Manager Review Committee requires that both parties have made attempts to resolve the matter before a review is required.

The following decisions are reviewable by the Service Manager Review Committee:

1. eligibility for Rent Geared to Income (RGI) assistance
2. size and type of RGI unit
3. eligibility for a priority category
4. amount of rent payable
5. continuing eligibility for RGI assistance
6. refusals
7. special needs

### **Review Committee Composition**

As prescribed in the regulations, members of the Review Committee will consist of:

1. no individual who participated in making the decision
2. individual(s) knowledgeable about the Act and the Regulations relevant to the decision being reviewed
3. no individual who has discussed the decision being reviewed with the decision maker, except in the course of the review.

The Service Manager Review Committee will consist of a minimum of 2 Halton Region staff members who meet the prescribed composition as listed above.

The Service Manager Review Committee is an impartial review committee that:

1. may override the decision that is being reviewed
2. must provide the decision, and the reasons for the decision in writing to:
  - the person who requested the review
  - the person who made the decision, and
  - the housing provider involved in the decision
3. decides the effective date of the decision.

## **Directions:**

### **Initial Steps:**

Refer to Opportunity to Comment Process (Program Directive No.11).

Wherever possible, the housing provider will work with all parties to seek a mutual resolution to the issue at hand that would preclude the need for a formal review.

Through this process, the housing provider could examine whether or not information that was not available during the original decision has since been provided. Mutual resolution may involve withdrawal of a review request by the household. There may be times where a provider makes a decision that prompts a formal request for a review and no mutual resolution can be found.

Please also refer to the RGI Guide for additional information.



### **Initial Notice of Decision:**

A notice of decision resulting from the housing provider and household attempt of resolution must be communicated in writing to the household within **5 (five) business days** after the decision has been made.

The initial notice of decision must include the reason for the decision, the date the decision was made, and whether or not the decision is reviewable by the Service Manager Review Committee. The notice must also include information on how to request a review and the deadline for this request.

All households have **30 (thirty) days** from the date of the initial notice of decision, to request a review of the decision.

In situations where a mutual resolution has not been reached between the parties, and a request has been made for a review by the Service Manager Review Committee, the housing provider will gather all information from the household requesting the review and forward it to Halton Region. Once received, the file will be referred to the Service Manager Review Committee members who will hear the review and render a final decision. The household will be advised of the date, time and location of the review.

**Note:** The housing provider or HATCH will have the same opportunity to provide any supporting documentation relating to the initial decision to the Service Manager Review Committee.

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### **Review Process:**

The HSA prescribes the procedure for the review of a decision requested by a household from a housing provider.

All households have **30 days** from the date of the initial notice of decision, to request a Service Manager review.

**Households requesting a review of a decision** (not including ineligibly for SPP status)  
(Includes applicant households and residents in receipt of RGI Assistance):

- A review must be completed and the decision of the review body made within **15 (fifteen) business days** after the request for the review is received;
- Households will be notified of a final decision of the Service Manager Review Committee within **10 (ten) business days** of making a decision.

**Note:** The rules are different for applicants who apply for Special Priority Policy (SPP) and are determined ineligible to receive SPP status.



### Ineligibility for SPP Status

- A review must be completed and the decision of the review body made within **10 (ten) business days** after the request for the review is received;
- The notice of the decision and reasons must be given within **5 (five) business days** after the decision was made.
- The notice of the decision of the review body must not be given to any other member of the household other than the member who requested the review.


### Procedural Fairness:

In an effort to ensure procedural fairness, households have the right to:

1. receive the information they need to fully understand a decision
2. an in person review or via teleconference
3. bring someone they choose to the review
4. have an unbiased review

Decisions of the Service Manager Review Committee are final. There is no further opportunity to appeal final decisions.

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DocuSigned by:  
  
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Alex Sarchuk  
Commissioner, Social and Community Services Department

Replaces: Program Directive No. 20
Date Released: December 18, 2020
Revised: N/A

