



Housing Services Division
 The Regional Municipality of Halton
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www.halton.ca

Community Housing Program Directives

Directive No. 6

Subject: Convictions

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

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| <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. 55
 O. Reg. 367/11 s. 36

Purpose:

To set out the local rule established for the purposes of O. Reg. 367/11 s. 36 relating to a households ineligibility for Rent-Geared-to Income (RGI) assistance for certain convictions.

Background:

The *Housing Services Act, 2011* (HSA) gives service managers the flexibility to make a local eligibility rule deeming households who have received certain convictions ineligible for rent-geared-to-income assistance.

Directions:

Ineligibility for RGI assistance

A household becomes ineligible for RGI assistance if a member of the household has been convicted of:

1. An offence under section 55 of the HSA, which states:

- No member of a household shall knowingly obtain or receive rent-geared-to-income assistance for which the household is not eligible.
- A person shall not knowingly aid or abet a member of a household to obtain or receive rent-geared-to-income assistance for which the household is not eligible.
- A person who contravenes subsection (1) or (2) is guilty of an offence and, on conviction, is liable to a fine of not more than \$5,000 or to imprisonment for a term of not more than six months or to both.

Note: A household cannot be deemed ineligible for RGI assistance based on a finding of misrepresentation by the Landlord and Tenant Board.

2. A crime under the Criminal Code (Canada) in relation to the receipt of RGI assistance.

Two-year rule

Households who have been convicted under section 55 of the HSA or under the Criminal Code (Canada) for offences related to RGI assistance cannot re-apply for RGI assistance for a period of two (2) years from the date of conviction.

Extenuating Circumstances

Where a housing provider feels extenuating circumstances apply, they are to submit a recommendation to their Housing Programs Administrator for consideration.

Review of the decision

Households are eligible for a review of a decision to deem the household ineligible under this Program Directive. (HSA, s. 156 (5))


HATCH notification

Housing providers must notify Halton Access to Community Housing (HATCH) of any household convictions outlined in this program directive by e-mailing a copy of the notice of decision to hatch@halton.ca. HATCH will process the conviction in YARDI Rent Café and in the province-wide arrears database. This will ensure that the two-year rule can be effectively enforced province-wide where service manager areas have implemented a local rule.



Former Households:

Where housing providers are aware of a conviction that takes place after a household vacates a unit, they must also notify HATCH by e-mailing a copy of the notice of decision to hatch@halton.ca.

DocuSigned by:

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Alex Sarchuk
Commissioner, Social and Community Services Department

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| Replaces: Program Directive No. 3 |
| Date Released: December 18, 2020 |
| Revised: N/A |

