

# Operational Review Report

Regional Municipality of Halton

**Social and Community Services**

**Employment, Housing and Social Services Division**

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**Report for** [Click here to enter text.](#)

**Date of Review:**

**Completed by:** [Choose an item.](#)

In attendance:

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Please note that this report may include information, which is protected under the ***Freedom of Information and Protection of Privacy Act***. No private information contained in this report should be released without the written consent of the individual to whom the information relates.

## ***Disclaimer***

The purpose of this operational review is to assist [Click here to enter text.](#) in meeting the requirements of the Service Manager, The Regional Municipality of Halton (the "Region") and to review their responsibilities under the Housing Services Act, 2011 and associated regulations. The operational review is intended to identify both those areas in which [Click here to enter text.](#) is successfully meeting the requirements of the legislation and the Service Manager and those areas which present opportunities for improvement. Housing providers are encouraged to look at the operational review report comprehensively, recognize their successes and identify priorities for improvement, recognizing that compliance with some criteria is more significant or has greater impact on the successful operation and governance of the Housing Provider than other areas. This report is not intended to be relied upon by any third party.

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[Click here to enter text.](#) is responsible for implementing and ensuring compliance with any legislative requirements or the requirements of the Region.

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# 1.0 GENERAL INFORMATION

## 1.1 Project Description

<b>Housing Provider Name</b>		<b>Dwelling Type</b>	
		<input type="checkbox"/> Walk-up apartment	<input type="checkbox"/> Elevator
		# Stories	# Units
		<input type="checkbox"/> Other – Describe	<input type="checkbox"/> Townhouses
<b>Property Address</b>		<b>Parking</b>	
		<input type="checkbox"/> Surface	<input type="checkbox"/> Private garage/carport
		<input type="checkbox"/> Underground	

<b>Fiscal Year End:</b>			
<b>Non-Shelter Space</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	If Yes, describe non-shelter space

## 1.2 Targets

HSA Total Targets for Portfolio		Actuals at Date of Review		HSA Mandate	
RGI Units		RGI Units		Seniors	<input type="checkbox"/>
Market Units		Market Units		Special Needs	<input type="checkbox"/>
		Rent Supplement		Alternative	<input type="checkbox"/>
		Vacant Unit(s)		No Mandate	<input type="checkbox"/>
Total Portfolio		Total Portfolio			

### Special Needs Units

Total Number of modified units	
• Number of units modified for the hearing impaired	
• Number of units modified for the physically handicapped	
Number of Special Needs units with provincially funded support services	

## **Section 1.0 – General Information – Summary**

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### **Observations**

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### **DIRECTIONS**

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The Board is directed to ensure that:

#### **Section 1.2 Targets**

### **RECOMMENDATIONS**

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It is recommended that the Board:

#### **Section 1.2 Targets**

## 2.0 CORPORATE REQUIREMENTS

The Housing Provider must ensure that the corporation implements and follows a governance plan that ensures compliance with all applicable legislation; provides effective oversight of the management and administration of the corporation and meets its fiduciary duty. The Board of Directors roles and responsibilities include (but are not limited to):

- Management of the non-profit corporation using sound business practices and policies that are in compliance with applicable legislation and operating agreement.
- Maintenance of the housing portfolio so that it remains in a good state of repair and ready for occupancy.
- Responding to the needs and concerns of applicants, tenants/members in an efficient and effective manner.
- Providing supervision and directing staff/management hired by the Board.
- Operating in a fiscally responsible manner

## 2.1 Members, Officers and Directors

### Standard

Section 92 of O. Reg. 367/11 requires that every housing provider be incorporated under one of the prescribed Acts under which non-profit or co-operative corporations are normally incorporated. Non-Profit housing providers must comply with all legislation including the Corporations Information Act, the Business Corporations Act, the Housing Services Act, the Co-operative Corporation Act and Personal Information Protection and Electronic Documents Act (PIPEDA).

### Corporate Filing

The Corporations Information Act requires that a “Notice of Change” be filed with the Ministry of Government Services within 15 days of a change in directors/officers or a change in their home address. The housing provider must ensure that the corporate status is active, the member/director list is current and all corporate reporting is up-to-date.

Description	Y	N	N/A	Comments
A list of current members/directors was provided by the group and reviewed. The list of members/directors matches the last Corporate Search that was undertaken on <a href="#">Click here to enter text.</a>				
The group has been filing the appropriate “Notice of Change” forms with the Ministry of Government Services.				

## 2.2 Minutes and Meetings

### Standard

The Corporations Act and the Co-operative Corporations Act require that a minute book be kept and that minutes are properly approved and certified.

Section 100 of O. Reg. 367/11 allows Service Managers to set local rules relating to local standards including the minimum number of Board meetings.

Halton Region requires Board Members to regularly review and approve key information that ensures a well-managed community. (HSA, 2011 s. 69 (2)).

Description	Y	N	N/A	Comments
A minute book is being kept as a record of all Board business.				
Minutes are property approved and certified by the Board to ensure that decisions made are recorded correctly and appropriate follow-up is taken on action items.				
Conflicts of Interest are canvassed at each Board meeting.				
Minutes were reviewed for the period <a href="#">Click here to enter text.</a> to <a href="#">Click here to enter text.</a> <a href="#">Click here to enter text.</a> meetings were held during that period of time.				
There is evidence in the minutes that the Board is actively engaged in the management of the Corporation and regularly review their operations through Board review and approval of the:				
<ul style="list-style-type: none"> <li>Annual operating budget</li> </ul>				
<ul style="list-style-type: none"> <li>Audited financial statements</li> </ul>				
<ul style="list-style-type: none"> <li>Monthly/quarterly financial reports</li> </ul>				
<ul style="list-style-type: none"> <li>Arrears report</li> </ul>				
<ul style="list-style-type: none"> <li>Vacancy and unit allocation</li> </ul>				
<ul style="list-style-type: none"> <li>Maintenance report</li> </ul>				
<ul style="list-style-type: none"> <li>Resident relations report</li> </ul>				

Description	Y	N	N/A	Comments
• Personnel/staff report				
• Property management reports				
• Tenders/contracts				
• Board sub-committee reports				
• Information regarding regulation and/or Service Manager policy changes				
All positions on the Board are filled.				
The Board has a regular schedule of meetings.				
Directors sign a Code of Conduct agreement.				
Directors receive board training on a regular basis.				

## 2.3 Annual General Meeting

### Standard

The Annual General Meeting (AGM) must be held every year as required under The Corporations Act and the Co-operative Corporations Act for the purposes of:

- The appointment of an auditor
- Election of directors and appointment of officers

Description	Y	N	N/A	Comments
The last AGM was held on <a href="#">Click here to enter text</a> and a separate set of minutes is maintained for the AGM.				
The appointment of an auditor was confirmed at the last AGM.				
The Board recruits new members				
There is an orientation and training program in place for new Board members.				

## 2.4 Members Meetings (Co-operatives Only) – N/A

Description	Y	N	N/A	Comments
Members receive the agenda and relevant information prior to meetings.				
Members vote on proposed policies/by-laws.				
The membership voted on the current budget.				
The membership accepted the audited statements for the last fiscal year.				
There are active committees at the property.				



## 2.5 Quorum

### Standard

A quorum must be present at all meetings where business is conducted.

Description	Y	N	N/A	Comments
<p>According to Bylaw <a href="#">Click here to enter text.</a>, the Board consists of <a href="#">Click here to enter text.</a> members. The quorum size is <a href="#">Click here to enter text.</a></p> <p>A quorum was present at all of the meetings reviewed.</p>				

## 2.6 Governing Social Housing Materials and Directives

### Standard

Information is readily available as a reference for the Board/Administrator/Property Manager.

Description	Y	N	N/A	Comments
The review revealed that:				
<ul style="list-style-type: none"> <li>The Corporation's By-laws are available for reference</li> </ul>				
<ul style="list-style-type: none"> <li>The Corporation's Incorporation documents are available for reference</li> </ul>				
<ul style="list-style-type: none"> <li>The Halton Region Service Agreement has been fully executed and is on file</li> </ul>				
<ul style="list-style-type: none"> <li>Halton Region's Program Directives are available for reference</li> </ul>				
<ul style="list-style-type: none"> <li>A copy of the Housing Services Act, 2011 and up-to-date Regulations are available for reference</li> </ul>				
<ul style="list-style-type: none"> <li>The Residential Tenancies Act or the Co-operative Corporations Act is available for reference</li> </ul>				
The housing provider is in compliance with section 63 of O. Reg. 367/11 relating to the information that is made available to the public.				

## Section 2.0 – Governance Performance Standards – Summary

### Observations

#### DIRECTIONS

The Board is directed to ensure that:

**Section 2.1 Members, Officers and Directors**

**Section 2.2 Minutes and Meetings**

**Section 2.3 Annual General Meeting**

**Section 2.4 Members Meetings (co-ops only)**

**Section 2.5 Quorum**

**Section 2.6 Governing Social Housing Materials and Directives**

#### RECOMMENDATIONS

It is recommended that the Board:

**Section 2.1 Members, Officers and Directors**

**Section 2.2 Minutes and Meetings**

**Section 2.3 Annual General Meeting**

**Section 2.4 Members Meetings (co-ops only)**

**Section 2.5 Quorum**

**Section 2.6 Governing Social Housing Materials and Directives**

## Local Standards

### Standard

In accordance with Section 100 of O. Reg. 367/11, the Service Manager may make a local rules regarding:

- Conflict of Interest
- Minimum Number of Board of Director Meetings
- Remuneration of Board Members
- Property Management
- Leases
- Multi-Year Financial Plans

### 3.1 Conflict of Interest and Remuneration of Board Members

Conflict of interest provisions apply to any director, officer, agent or employee of a housing provider. A conflict may exist if any of the above people:

- Have business or personal interests that are in conflict with the interests of the housing provider.
- Personally receives or have a relative or business associate who receives a gain, benefit, advantage or privilege, directly or indirectly.

Description	Y	N	N/A	Comments
The Board approved conflict of interest policy/by-law is in place.				
Records of conflict of interest and their resolutions are available for review by Halton Region staff.				
Conflict of Interest declarations are made at the beginning of each Board meeting.				
Board minutes verify that when a conflict of interest is declared, the director/staff person excuses themselves from the meeting or portion(s) of the meeting and withdraw from the discussions and abstain from voting.				
The housing provider is in compliance with Directive No. 11-01 relating to remuneration of Board members.				
The Administrator/Property Manager confirmed there were no known conflicts of interest at the time of this review.				

## 3.2 Property Management

### Standard

Social housing providers operate under a variety of property management models. Regardless of the property management model used, job descriptions and detailed contracts are critical to ensuring the property is well managed. The relationship between the Board and the Administrator/Property Manager should also be defined so that it is clear what steps are taken should problems arise.

Program Directive No. 4 requires that the housing provider follow an open and competitive practice in hiring its employees and in retaining persons to provide property management services. Only the Service Manager may decide if a housing provider may forego the requirement for the competitive process. Where a property management contract exists, the Directive also imposes specific limitations on the duration of the contract.

### 3.2.1 Property Management Agreement

Description	Y	N	N/A	Comments
A copy of the current property management agreement was available for review. The contract is with <a href="#">Click here to enter text</a> .dated <a href="#">Click here to enter text</a> ..				
An open and competitive process was used to select the current property management firm.				
The provisions for property management contracts have been included as follows:				
<ul style="list-style-type: none"> <li>The term does not exceed three years</li> </ul>				
<ul style="list-style-type: none"> <li>The contract is not renewable</li> </ul>				
<ul style="list-style-type: none"> <li>The contract can be terminated on 60 days written notice for any reason and 30 days written notice for breach of contract.</li> </ul>				
<ul style="list-style-type: none"> <li>Specific identification of the nature of the goods and services provided are specifically outlined in the contract.</li> </ul>				
<ul style="list-style-type: none"> <li>The contract is non-assignable.</li> </ul>				

### 3.2.2 Competitive Process – Hiring of Employees (self-managed groups)

Description	Y	N	N/A	Comments
An open and competitive selection process is used to hire employees.				
Copies of contracts for all employees were available to review.				
The board has established Human Resource policies regarding employees in the following areas:				
<ul style="list-style-type: none"> <li>Hiring</li> </ul>				
<ul style="list-style-type: none"> <li>Discipline</li> </ul>				
<ul style="list-style-type: none"> <li>Benefits (including sick time/vacation)</li> </ul>				
<ul style="list-style-type: none"> <li>Record keeping</li> </ul>				
<ul style="list-style-type: none"> <li>Termination</li> </ul>				
<ul style="list-style-type: none"> <li>Regular performance reviews</li> </ul>				
<ul style="list-style-type: none"> <li>Workplace harassment/safety</li> </ul>				
Human Resource policies are being followed consistently.				

### 3.3 Leases and Occupancy Agreements

#### Standard

It is a requirement that housing providers enter into a written lease or occupancy agreement with each household occupying an RGI housing unit.

Description	Y	N	N/A	Comments
The lease/occupancy agreement for tenants/members receiving RGI subsidy assistance contains the following required clauses:				
<ul style="list-style-type: none"> <li>The term does not exceed one year.</li> </ul>				
<ul style="list-style-type: none"> <li>Specifies the RGI rent/housing charge payable by the household for one month.</li> </ul>				
<ul style="list-style-type: none"> <li>Specifies the market rent/housing charge.</li> </ul>				
<ul style="list-style-type: none"> <li>Restricts occupancy.</li> </ul>				
<ul style="list-style-type: none"> <li>Identifies additional charges allowable under the RTA or the HSA.</li> </ul>				
<ul style="list-style-type: none"> <li>Clearly states Guest Policy rules.</li> </ul>				
<ul style="list-style-type: none"> <li>Identifies sector support levies (co-operatives only)</li> </ul>				

Description	Y	N	N/A	Comments
The initial fee for membership (co-operatives only)				
<ul style="list-style-type: none"> <li>• Leases/occupancy agreements are properly completed, signed and witnessed.</li> </ul>				
<ul style="list-style-type: none"> <li>• Leases/occupancy agreements are always signed and executed prior to the household receiving the key to their unit.</li> </ul>				

## **Section 3.0 – Local Standards - Summary**

### **Observations**

### **DIRECTIONS**

The Board is directed to ensure that:

**Section 3.1 Conflict of Interest and Remuneration**

**Section 3.2 Property Management**

**Section 3.3 Leases and Occupancy Agreements**

### **RECOMMENDATIONS**

It is recommended that the Board:

**Section 3.1 Conflict of Interest and Remuneration**

**Section 3.2 Property Management**

**Section 3.3 Leases and Occupancy Agreements**

## 3.0 Risk Management

### Standard

Insurance policies must meet minimum requirements, including \$5,000,000 general liability, indemnification of the Region of Halton and Directors' and Officers' Liability coverage. These are important safeguards that all Boards should ensure are in place.

The HSA requires that Local Housing Corporations and Non-Profit housing providers obtain insurance through the Housing Services Corporation's (HSC) bulk insurance program.

Ensuring that the corporation's properties are as safe as possible for residents, staff and visitors is an important responsibility of the Board. Taking simple pro-active measures can help reduce risks that expose people to danger and the corporation and the Region to liability.

When incidents/accidents occur involving human/property damage, the insurer must be informed and records should be kept of all information obtained and action taken. Reviewing these incident reports may assist the Board in limiting a re-occurrence or in finding ways to prevent other potential dangers.

Description	Y	N	N/A	Comments
The insurance policy is with <a href="#">Click here to enter text.</a> in accordance with HSC's insurance program for the period <a href="#">Click here to enter text.</a> to <a href="#">Click here to enter text.</a> .. (non-profits/LHC only)				
The insurance policy is with <a href="#">Click here to enter text.</a> for the period <a href="#">Click here to enter text.</a> to <a href="#">Click here to enter text.</a> .. (co-operatives only)				
The Region of Halton has been indemnified against contingent liability on the current insurance policy.				
There is Officers'/Directors' liability coverage on the current insurance policy.				
Insurance claims are reviewed by the Board to ensure that sources of claims such as tripping hazards, icing situations, malfunctioning equipment, etc. are remedied promptly.				
A system is in place for reporting accidents to the insurer and to the Board.				
There is evidence that any outstanding claims are being dealt with appropriately.				
Site inspections are conducted on a daily basis to identify potential hazards.				
Records are kept of all site inspections.				
Records are kept of severe weather conditions, action taken to remedy potential hazards (e.g. salting, snow removal)				



## **Section 4.0 – Risk Management - SUMMARY**

### **Observations**

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### **DIRECTIONS**

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The Board is directed to ensure that:

### **RECOMMENDATIONS**

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It is recommended that the Board:

## 5.0 Centralized Access to RGI - HATCH

### Standard

Ontario Regulation 367/11 s. 47 of the Housing Services Act, 2011 requires social housing providers to participate in the centralized wait list system. In the Region of Halton, Halton Access to Community Housing (HATCH) provides this service. Communication with HATCH is vital to ensuring that accurate and up-to-date information is available to all housing providers.

The HATCH subsidized wait list is maintained in an electronic format. Housing providers are able to access their wait list through web-based access. To ensure that the household being offered RGI accommodation is, in fact, still at the top of the housing provider's wait list, housing providers must update their wait lists once a month during the rent-up process. Halton Region has developed a number of procedures and processes to assist housing providers with the day-to-day management of the centralized wait list.

Description	Y	N	N/A	Comments
HATCH Directory is available for the public to view.				
All applications for RGI are forwarded to HATCH				
The following process are in place relating to <b>internal transfers:</b>				
<ul style="list-style-type: none"> <li>An internal transfer list is maintained</li> </ul>				
<ul style="list-style-type: none"> <li>There are formal internal transfer policies/by-laws</li> </ul>				
<ul style="list-style-type: none"> <li>A list of overhoused households is available as part of the internal transfer list</li> </ul>				
<ul style="list-style-type: none"> <li>Notice is given to all overhoused households unable to be accommodated and HATCH is notified.</li> </ul>				
<ul style="list-style-type: none"> <li>The internal transfer policy is applied when there is a vacancy.</li> </ul>				
<ul style="list-style-type: none"> <li>Notice is give to HATCH when an overhoused household refuses an internal transfer offer to a unit of the appropriate size.</li> </ul>				
On-line access to the waiting list is used				
Special priority applicants are given first consideration when there is a vacancy				
Records of refusals to offer are available for review				
Refusals to offer are in accordance with reasons outlined in legislation				
Letters have been sent to all households where is has been decided to refuse to offer the applicant a unit and HATCH is updated			X	

Description	Y	N	N/A	Comments
An internal review process is in place to hear appeals of refusals to offer				
All Yardi/HATCH procedures and data entry are consistently followed				

## **Section 5.0 – Centralized Access to RGI – HATCH - SUMMARY**

### **Observations**

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### **DIRECTIONS**

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The Board is directed to ensure that:

### **RECOMMENDATIONS**

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It is recommended that the Board:

## 6.0 Rent-Geared-to-Income (RGI)

### Standard

Ontario Regulation 298/01 s. 52(1) of the Housing Services Act, 2011 requires the Service Manager to review eligibility for RGI at least once annually. The Region of Halton, as the Service Manager, has entered into a Service Agreement with housing providers to perform all RGI calculations. Housing providers are required to conduct RGI and eligibility reviews (O. Reg. 367/11 s. 59 (1) (a)) at least once per year or when new information is provided. Households must meet all eligibility requirements. Proper notice of all rent/housing charge changes must be given to households, including information on the households right to a review (appeal) of a decision.

### Tenant/Member File Review

[Click here to enter text.](#) Tenant/Member files were reviewed.

Description	Y	N	N/A	Comments
<b>In general:</b>				
Rent Calculations are accurate.				
Overhoused households are given appropriate notice and follow-up.				
Income is regularly reviewed and accurately determined.				
Appropriate follow-up where household changes have not been reported within the required timeframe.				
Households have received proper notice of rent/housing charge increases. (O.Reg. 298/01 s. 52 and 53)				
Housing provider has a system in place to receive regular change of income notices from tenants/members				
The rent/housing charges agree with the income/rent register.				
When a housing provider has used discretion to reinstate RGI subsidy for a household who has failed to report a change, the household has received the appropriate warning.				
A copy of the HATCH wait list used to offer RGI subsidy is available.				
Notices of rent/housing charge changes are signed and dated.				
Eligibility is property assessed.				

Description In general:	Y	N	N/A	Comments
Information on a households right to request a review of a decision has been provided to households.				
Eligible sources of income have been requested to be pursued.				
Verification documents are complete and meet the requirements of Halton Directive # 4.				
A Release and Consent form is on file for every rent/housing charge calculation.				
Occupancy standards are being met.				
Tenants/members confirm their eligibility for special needs units (modified/support service)				

## **Section 6.0 – Rent-Geared-to-Income (RGI) - SUMMARY**

### **Observations**

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### **DIRECTIONS**

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The Board is directed to ensure that:

### **RECOMMENDATIONS**

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It is recommended that the Board: