

REQUIREMENTS RELATING TO THE CENTRALIZED WAITING LIST

PART VI WAITING LISTS AND PRIORITY RULES

CENTRALIZED AND SUBSIDIARY WAITING LISTS

Centralized waiting list

35. (1) A service manager shall establish and administer, under section 68 of the Act, a centralized waiting list.

(2) The service manager shall establish the centralized waiting list on or before the day that is one year after the day this Regulation begins to apply to the service area of the service manager or, if the approved local transfer plan provides for an earlier date, that earlier date.

(3) In subsection (2),

"approved local transfer plan" means a plan of the service manager under section 14 of the Act that has been approved by the Minister under that section.

Exception to s. 68 (3) of the Act

35.1 A household not receiving rent-geared-to-income assistance that occupies a unit in a designated housing project of the service manager shall, despite subsection 68 (3) of the Act, be included on the centralized waiting list established under section 35 if the service manager has determined the household is eligible for rent-geared-to-income assistance and the unit the household occupies meets the occupancy standards established by this Regulation.

Subsidiary waiting lists

36. (1) A service manager shall provide an up-to-date subsidiary waiting list for a housing project in the service area to the housing provider for the project at such times as may be agreed upon by the service manager and the housing provider and at such other times as the housing provider may request.

(1.1) Despite subsection (1), the service manager shall provide to the housing provider for the housing project the information set out in subsection (3) for the households determined to be eligible under a category established under the provincial or local priority rules at least once each month.

(2) The subsidiary waiting list shall include all the households on the centralized waiting list that the centralized waiting list indicates have a preference for that housing project, ranked as required under subsection 68 (5) of the Act.

(2.1) Despite subsection (2), a service manager may determine not to include a household on a subsidiary waiting list for a housing project if the housing provider for

that housing project has already refused a unit to the household under section 18 of Ontario Regulation 339/01 (Housing Projects Subject to Part VI of the Act) made under the Act.

(3) The subsidiary waiting list shall also include the following for each household on the list:

1. The names of the members of the household.
2. The address at which the household can be contacted.
3. Whether the household is a special priority household or a homeless or hard to house household or whether it is included in a category, established under the local priority rules, within the waiting list.
4. The sizes and types of unit in respect of which the household is eligible to receive rent-geared-to-income assistance under the applicable occupancy standards.

Rules for the centralized waiting list

37. The following are requirements for the centralized waiting list:

1. A household shall be added to the waiting list upon the service manager determining that the household is eligible for rent-geared-to-income assistance.
2. A household shall be removed from the waiting list if it requests to be removed or if it ceases to be eligible to be included.
3. A household shall be removed from the waiting list if the household has accepted an offer of rent-geared-to-income assistance.
4. Paragraph 3 does not apply with respect to the acceptance of an offer of temporary housing that is to be provided while one or more members of the household are receiving treatment or counselling or that is provided because the household is in need of emergency shelter.
 - 4.1 The service manager may temporarily remove a household from the waiting list for a period of time agreed upon by the household and the service manager, if the household requests the removal and the household would be unable to accept an offer of housing for that period of time.
 - 4.2 If a household is removed from a waiting list under paragraph 4.1, and the period of time under paragraph 4.1 has expired or the household notifies the service manager that it is able to accept an offer of housing, the service manager shall reinstate the household to the waiting list.
5. The size of unit with respect to which a household has indicated a preference, either in the household's application for rent-geared-to-income assistance or subsequently, shall be indicated on the waiting list.
6. A household may indicate a preference either for,

- i. all sizes of units within the range in respect of which the household is eligible to receive rent-geared-to-income assistance under the applicable occupancy standards, or
 - ii. the largest of the units described in subparagraph i.
- 7. If a household does not indicate any preference for a size of housing unit, it shall be deemed to have indicated a preference for the largest unit under subparagraph 6 ii.
- 8. The housing projects with respect to which a household has indicated a preference, either in the household's application for rent-geared-to-income assistance or subsequently, shall be indicated on the waiting list.
 - 8.1 If a household is added to the centralized waiting list under paragraph 1 or 2 of section 33, the household shall indicate a preference for at least the number of housing projects specified by the service manager within a geographic area.
 - 8.2 If a household is added to the centralized waiting list under paragraph 1.1 of section 33, and the household remains on the waiting list later than one year after the date the notice under subsection 32 (2) is received, the household shall indicate a preference for at least the number of housing projects specified by the service manager within a geographic area.
 - 8.3 A household that indicates a preference for housing projects under paragraph 8.1 or 8.2 and is added to the subsidiary waiting lists for those housing projects shall not request to be removed from any of the subsidiary waiting lists unless,
 - i. the number of housing projects for which the household has indicated a preference would, after the requested removal, remain the same as or greater than the number specified by the service manager under paragraph 8.1 or 8.2, and
 - ii. the household indicates a preference for another housing project, if necessary.
- 9. A preference for a housing project by a household is ineffective and shall not be indicated on the waiting list if no member of the household meets the requirements of the housing provider's mandate under section 99 of the Act with respect to the housing project.
 - 9.1 Despite paragraph 9, a household may indicate a preference for a housing project and the preference shall be indicated on the waiting list if the service manager determines that a member of the household will meet the requirements of the housing provider's mandate under section 99 of the Act with respect to the housing project within a period of time specified by the service manager.

10. A service manager shall establish geographic areas for the purposes of the waiting list and a household may indicate a preference for all the housing projects in a geographic area by indicating a preference for that geographic area.
11. If a household does not indicate any preference for a housing project it shall be deemed to have indicated a preference for all the housing projects in the service area.
12. A household's preference for a housing project or geographic area shall be removed if the household requests it.
13. A household referred to in section 35.1 may indicate a preference to receive rent-geared-to-income assistance for the unit it occupies at the time of indicating the preference.

Special rule, transfers to another housing provider in same service area

38. The following apply with respect to a household occupying a rent-geared-to-income unit that wishes to transfer to another rent-geared-to-income unit in a housing project operated by a different housing provider within the same service area:

1. The household may request to be added to the centralized waiting list by submitting an application signed by such members of the household as the service manager may require.
2. If a member of the household who is required to sign the application and consent is unable to do so for any reason, or is unable to make a valid application and give a valid consent, the application may be signed on the member's behalf by another individual who,
 - i. is the parent or guardian of the member,
 - ii. is an attorney of the member under a power of attorney that authorizes the attorney to make the application, or
 - iii. is otherwise authorized to make the application on the member's behalf.
3. A household that makes a request in accordance with paragraph 1 shall be added to the centralized waiting list.

Refusal of three offers — ineligibility

39. (1) A household, other than a household that has been determined to be eligible for special needs housing, ceases to be eligible for rent-geared-to-income assistance if it has refused three offers of a rent-geared-to-income unit and,

- (a) it is on the centralized waiting list for rent-geared-to-income units; or
- (b) it has been placed on a housing provider's internal transfer list under paragraph 2 of subsection 11 (2) of Ontario Regulation 339/01 (Housing Projects Subject to Part VI of the Act) made under the Act.

(2) Subsection (1) applies with respect to the refusal of an offer only if the following are satisfied:

1. The size of unit that is offered is a size for which the household has indicated a preference.
2. The unit that is offered is a unit in respect of which the household would be eligible for rent-geared-to-income assistance.
3. The unit that is offered is in a housing project for which the household has indicated a preference.

(3) Subsection (1) does not apply with respect to the refusal of a bachelor unit by a household consisting of two individuals who are spouses of each other.

(4) Subsection (1) does not apply with respect to a refusal by a household that is in temporary housing that is to be provided while one or more members of the household are receiving treatment or counselling or that is provided because the household is in need of emergency shelter.

Provincial priority rules established

40. Sections 41 and 42 establish provincial priority rules for ranking households on centralized and subsidiary waiting lists for the purposes of section 77 of the Act.

Ranking according to date

41. (1) A household ranks higher than another household with a later ranking date.

(2) The ranking date for a household that was added to the centralized waiting list under paragraph 1 or 4.2 of section 37 is the date the household applied for rent-geared-to-income assistance.

(3) Despite subsection (2), if the service manager so provides in the local priority rules, the ranking date for a household that has indicated a preference for a housing project after the determination that the household is eligible for rent-geared-to-income assistance is, with respect to the housing project, the date the household indicated that preference.

(4) The ranking date for a household that was added to the centralized waiting list under section 38 is,

- (a) the date the household requested to be added to the centralized waiting list; or
- (b) if the household occupies a unit provided by an alternative housing provider under its mandate to provide housing to homeless or hard to house households, the date the household applied for rent-geared-to-income assistance before first beginning to receive rent-geared-to-income assistance.

(5) The ranking date for a household that was added to the centralized waiting list under section 33 is the date the household applied for rent-geared-to-income assistance before first beginning to receive rent-geared-to-income assistance.

(6) Despite the ranking dates set out in this section, the ranking date for a household that is eligible for rent-geared-to-income assistance under a category established by the local priority rules established by the service manager under section 77 of the Act is the date determined by the service manager for the local priority household category.

Priority for special priority households

42. (1) Despite section 41, a special priority household ranks higher than another household that is not a special priority household.

(2)-(4) Revoked: O. Reg. 309/07, s. 18.

(5) The special priority ranking date is the date the household requested to be included in the special priority household category.

Provincial priority rules prevail over local priority rules

43. If a local priority rule is inconsistent with a provincial priority rule, the provincial priority rule prevails to the extent of the inconsistency.

Transition, new centralized waiting lists

44. (1) All households that, immediately before the establishment of a centralized waiting list, are already on waiting lists for housing projects covered by the centralized waiting list shall be added to the centralized waiting list.

(2) Subject to subsection (3), the ranking date for a household added under subsection (1), shall be the date the household applied for rent-geared-to-income assistance.

(3) If, before the establishment of the centralized waiting list, different dates were used for the purposes of ranking households, the service manager may use those different dates as the ranking dates.

SPECIAL NEEDS WAITING LISTS

Special needs waiting lists

45. (1) This section applies with respect to waiting lists for special needs housing required under section 74 of the Act.

(2) The following are requirements for waiting lists for special needs housing:

1. A household shall be added to a waiting list upon being determined to be eligible for special needs housing.
2. A household shall be removed from a waiting list if it requests to be removed or if it ceases to be eligible to be included.
3. A household shall be removed from a waiting list if the household has accepted an offer of special needs housing.

(3) The following apply with respect to a household occupying a special needs housing unit that wishes to transfer to another special needs housing unit within the same service area:

1. The household may request to be added to a waiting list for special needs housing by submitting an application signed by such members of the household as the service manager may require.
2. If a member of the household who is required to sign the application and consent is unable to do so for any reason, or is unable to make a valid application and give a valid consent, the application may be signed on the member's behalf by another individual who,
 - i. is the parent or guardian of the member,
 - ii. is an attorney of the member under a power of attorney that authorizes the attorney to make the application, or
 - iii. is otherwise authorized to make the application on the member's behalf.
3. A household that makes a request in accordance with paragraph 1 shall be added to the waiting list.

(3.1) A special priority household ranks higher than a household that is not a special priority household.

(3.2) The special priority ranking date is the date the household requested to be included in the special priority household category.

(3.3) Revoked: O. Reg. 309/07, s. 19 (3).

(4) If the responsibility for administering a waiting list for special needs housing is transferred, the former administrator of the waiting list shall forward the waiting list and all information relating to the waiting list to the new administrator of the waiting list.

(5) If a service manager, supportive housing provider or lead agency that is required to establish and administer one or more waiting lists for special needs housing under section 74 of the Act administers, immediately before this Regulation comes into force in the service manager's service area, a waiting list for special needs housing, that waiting list is continued as a waiting list under section 74 of the Act.