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| Originally Approved: December 2015 | | Revision Date: July 8 th , 2019 |

Authority Under the authority of the Housing Services Act, 2011 (HSA) and its Regulations, each Service Manager is required to develop Local Rules. The Service Manager procedures and requirements in the Local Rule are to be implemented by all Housing Providers in Cornwall and Stormont, Dundas and Glengarry operating under the *Housing Services Act, 2011*.

Intent The intent of this Local Rule is to identify how to address how failure to pursue required sources of income and income limits can impact on a household's eligibility to receive RGI assistance.

Under the Housing Services Act, the City of Cornwall may establish a local eligibility rule limiting the amount of income that a household may have and still be eligible for RGI assistance.

| Unit Type | 1 BEDROOM | 2 BEDROOMS | 3 BEDROOMS | 4 BEDROOMS + |
|---|------------------|-------------------|-------------------|---------------------|
| Household Income Limit¹ | \$31,000 | \$37,500 | \$40,500 | \$50,000 |

¹ Income limits are updated periodically in accordance with changes to the household income limits set out in Schedule 2 of Ontario Regulation 370/11 and the average market rents for the City of Cornwall and the Counties of Stormont, Dundas and Glengarry.

Income Limits

(eff. 01-02-18)

Income that is excluded from RGI calculations under subsection 50(3) of Ontario Regulation 298/01 is also excluded from consideration under the local income limits, except for paragraphs 42 to 47 of that section.

Excluded income is listed for reference in the attached Appendix A.

Income limits apply to RGI and Strong Communities Rent Supplement applicant to determine eligibility for placement on the centralized waiting list.

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In order for a household to qualify to receive or continue receiving RGI assistance, all members of the household aged 16 years of age or older, and who do not meet the definition of a student, must make a reasonable attempt to pursue all available sources of income, including but not limited to:

- employment earnings
- Basic financial assistance under the *Ontario Works Act, 1997*
- Support under the *Divorce Act (Canada)*,
- the *Family Law Act*
- the *Interjurisdictional Support Orders Act, 2002*,
- unemployment benefits under the *Employment Insurance Act (Canada)*
- a benefit under Section 2 of the *Ontario Guaranteed Annual Income Act*
- a pension or supplement under Part I or II of the *Old Age Security Act (Canada)*.
- support or maintenance resulting from an undertaking given with respect to the member under the *Immigration and Refugee Protection Act (Canada)*.

**Pursuit of
Income**

The household will be expected to make every reasonable effort to pursue these income sources and verify the outcome with supporting documentation.

For example, a letter from OW stating the household is ineligible for assistance and reason for this decision.

During a household review, Housing Providers will determine if the household might be entitled to receive one of the prescribed sources of income, especially where the household has no identified source of income.

Exemptions to pursue the above identified sources of income will be considered for Special Priority Households whose safety could be jeopardized in the pursuit of income, households who would incur tremendous costs in the pursuit of a support order or situations where there would be no recognizable

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cost benefit by the pursuit of the income. Documentation must be provided to support all requests for exemptions.

Where a household fails to meet the requirement to pursue a required source of income, a written notice should be sent to the household advising that they will cease to be eligible to continue receiving RGI assistance within ninety (90) calendar days from the date on the notice.

***All decisions made in accordance with this Section of the rules are subject to a Review when requested. (See Local Rule #6)

A retroactive payment from non-exempt sources is considered as income in the month(s) intended and not in the month received. Retroactivity should be calculated going back for the entire coverage period.

NOTE: Providers will not have to redo the audited financial statements or the financial settlements for each year the retroactivity covers. This can be done with a note to the audited financial statements in the current year and the recovered funds being tracked separately from the regular RGI revenue.

Lump Sum Payments

If the retroactive payment(s) are for period(s) outside the time the applicant or recipient was eligible for RGI, the payment(s) should be viewed as assets in the following months, if tenant still has not disposed of same (in a reasonable manner).

For excluded incomes, if the tenant is realizing monthly income from those sources, then those monthly payments may be considered as income in the month (eg, inheritance received – would not be counted an income/asset in the month received, but would be considered an asset thereafter and, then if they are receiving income from that asset (ie rental income), then it would be considered as monthly income for the purposes of calculating RGI.

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References

Housing Services Act, s. 42
 Ontario Regulation 367/11, s. 31 & 34
 Ontario Regulation 370/11, Schedule 2

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| Local Audit Requirements | Adherence to this policy will be monitored during an Operational Review. | |
| Completed by: | Mellissa Morgan  Signature | Date: July 8 th , 2019 |
| Approved by: | Stacey Ferguson  Signature | Date: July 8 th , 2019 |

Appendix A – Excluded Income

The following types of income are not included as income when determining annual gross income of the household in relation to the income limits.

Canada Pension Plan income

- a death benefit received under the Canada Pension Plan
- a child benefit received under the Canada Pension Plan (Canada) for the dependent of a disabled or deceased contributor

Charitable or other payments

- a donation received from a religious, charitable or benevolent organization
- a casual gift or casual payment of small value

Child support - special or extraordinary expenses (Section 7 expenses)

- special or extraordinary expense payments under section 7 of the Child Support Guidelines that are made by a non-custodial parent for:
 - child care expenses incurred as a result of the custodial parent's employment, illness, disability or education or training for employment
 - health-related expenses for the child including payment of medical and dental insurance premiums
 - expenses for the child's educational programs
 - expenses for the child's extracurricular activities

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Compensation payments

- an amount received as damages or compensation for:
 - pain and suffering due to the injury or death of a household member
 - expenses incurred as a result of the injury or death of a household member
- a government compensation payment received under any of the following schemes:
 - the Helpline Reconciliation Model Agreement
 - the Multi-Provincial/Territorial Assistance Program Agreement
 - the Grandview Agreement
 - the Ontario Hepatitis C Assistance Plan
 - the 1986-1990 Hepatitis C Settlement Agreement
 - the Walkerton Compensation Plan
 - compensation for sterilization from the Government of Alberta
- a payment received as a result of a claim that relates to an aboriginal residential school and was made against the Government of Canada or a church or other religious organization
- a payment received under the Ministry of Community and Social Services Act
- a payment received under the Extraordinary Assistance Plan (Canada)
- a war reparation payment
- a lump sum insurance payment

Disability payments

- a payment received under the Opportunities Fund for Persons with Disabilities if the payment is applied or intended for costs incurred as a result of participation in employment-related activities
- a Canada Disability Savings Grant or a Canada Disability Savings Bond paid into a Registered Disability Saving Plan
- gifts or voluntary payments from someone outside the household that are contributed to a Registered Disability Saving Plan
- interest, dividends and other income accrued in a Registered Disability Saving Plan
- payments from a Registered Disability Saving Plan
- payments from a trust or life insurance policy or gifts or other voluntary payments that are applied to expenses, that will not be otherwise reimbursed, for:

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- disability related items or services
- education or training for a disabled person
- a payment received under subsection 2 (2) of the Developmental Services Act to provide support services to a developmentally disabled person
- a payment received under subsection 147 (14) of the Workers' Compensation Act, as it read on December 31, 1997 - noted as a Bill 165 or B165 supplement on the WSIB payment stub
- a payment received under the Ministry of Community and Social Services Act

Employment and training income

- an allowance received for room and board due to employment away from home
- an allowance received for expenses incurred in travelling due to employment
- an allowance or a payment received for child care, transportation, tuition or other expenses due to enrolment in any job training or employment-related program
- a grant received under the Employment Insurance Act (Canada) for the purchase of an approved training course by a member of an Ontario Works benefit unit
- a lump sum severance payment due to dismissal from employment

First Nations benefits and payments

- a payment received from the Department of Aboriginal Affairs and Northern Development Canada or from a band for board and lodging of a student attending a secondary school not on the reserve
- a payment received pursuant to the Indian Act (Canada) under a treaty between Her Majesty in right of Canada and a band, other than funds for post-secondary education
- a payment received from a band as an incentive bonus for school attendance by a person who is a child of a member of the family unit and who is attending school
- a payment received under Order in Council P.C. 1977-2496 made under section 40 of the Indian Act (Canada)
- a payment received as a result of a claim that relates to an aboriginal residential school and was made against the Government of Canada or a church or other religious organization

Gifts and windfalls

- an inheritance

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- lottery winnings
- a donation received from a religious, charitable or benevolent organization
- a casual gift or casual payment of small value

Registered Retirement Savings Plan (RRSP)

- interest, dividends or any other income received from or accrued in a locked-in Registered Education Savings Plan (RESP) for a child of the household

Income related to children in care

- a payment received from a children's aid society on behalf of a child in care under the Child and Family Services Act
- a payment received by an adoptive parent under clause 175 (f) of the Child and Family Services Act
- income received by a child in care under the Child and Family Services Act
- an extended care and maintenance allowance for a former Crown ward received from a children's aid society under subsection 71 (2) of the Child and Family Services Act

Income tax refunds and rebates

- a payment, refund or credit received under the Income Tax Act (Ontario) or the Income Tax Act (Canada)
- a Universal Child Care Benefit payment

Investment income

- a capital gain
- the proceeds received from the sale, liquidation or other disposition of real or personal property
- interest received from or accrued in a prepaid funeral plan
- interest, dividends or any other income received from or accrued in a locked-in

Lump sum payments

- a lump sum insurance payment
- a lump sum severance payment due to dismissal from employment

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- a lump sum payment received under a decision of a court
- a lump sum payment received under a decision of a statutory tribunal
- a lump sum payment under the Community Homelessness Prevention Initiative (CHPI)

Social Assistance Income

- Ontario Works payments
- Ontario Disability Support Program (ODSP) payments
- a payment for a Temporary Care Allowance through Ontario Works
- a payment made under the Assistance for Children with Severe Disabilities (ACSD) program through ODSP

Student Income

- income received by a dependent who is a full-time student at a primary or secondary school
- income received by a dependent who is a full-time student in a recognized post-secondary educational institution if the student:
 - is a single student, and
 - has not been out of a secondary institution for more than five years as of the start of his/her current study period
- a student grant or award received by a post-secondary student
- a student loan
- a bursary received under paragraph 18 of subsection 8 (1) of the Education Act by a student in full-time attendance at a secondary school
- a payment under the Canada Millennium Scholarship Foundation
- a payment under the Dr. Albert Rose Bursary Program
- a Canada Education Savings Grant paid into an RESP for a child in the household

Veterans benefits

- a benefit received from Veterans Affairs Canada under the Veterans Independence Program
- a Special Allowance received from Veterans Affairs Canada under the Veterans Affairs Disability Pension Program

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Other

- a loan
- a special allowance under the Resettlement Assistance Program established under the Immigration and Refugee Protection Act (Canada)
- a payment under the Community Homelessness Prevention Initiative (CHPI)