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**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 City of Cornwall, as the Service Manager for the City of Cornwall and the United Counties of Stormont, Dundas and Glengarry (SD&G), will establish an Internal Review Local Rule. This Local Rule is to be followed by the tenants of review body and system to provide an avenue for reviews and a process for dealing with internal review requests.

*Housing Provider Decisions*

Housing Providers shall follow the internal review process set out in twelve steps listed in this Directive.

1. The following Housing Provider decisions are reviewable based on the four points below:

- Size and type of unit that household is eligible for
- Amount of rent payable by the household
- Household is no longer eligible for rent-geared-to-income assistance
- Household ineligible for rent-geared-to-income assistance (new household members joining a unit).

**Local Rule**

2. The Housing Provider must provide a Notice of Decision Letter to households advising of the decision they are considering and provide the household with an opportunity to request a review. It shall allow the household a minimum of thirty (30) calendar days to provide information, documentation, or comments which may affect the decision being made by the Housing Provider.

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The notice must state the five points listed below:

- the effective date of the decision; and
- the reasons for the decision; and
- the process to request a review; and
- provide a copy of the Request for Internal Review of a Decision form; and
- must allow a minimum of thirty (30) calendar days to request the review.

If the decision is that the household is no longer eligible for rent-geared-to-income assistance and subsidy is revoked, the Housing Provider must give the household, a minimum of Ninety days' notice that the rent will increase to market rent effective the first day of the month following the ninety days.

3. If the household requests an internal review, the Housing Provider shall conduct the review within ten business days of the request and must ensure that the individual(s) conducting the review the four points listed below:

- has not discussed the decision with the decision maker; and
- has not participated in the original decision; and
- is knowledgeable about the relevant provisions of the Act and regulations; and
- may not discuss the decision with the decision maker except during the course of the review.

4. If a Housing Provider does not have sufficient staff to meet this requirement, they shall contact another Housing Provider to request that they conduct the review.

5. Within fifteen (15) calendar days of conducting the review, the reviewer shall provide written notice of its decision, the effective date of the decision and the reasons for the decision to the two points below:

- the household that requested the review, and
- the person who made the original decision.

6. If the internal review relates to the amount of rent payable by the household, the effective date of the decision shall be the date of the original decision unless the review results in an increase in the amount of rent payable set out in the original decision. Then the effective date of the increased rent payable is the first day of the second month following the review decision.
7. For all other internal reviews, the effective date of the decision is the later of the date specified by the reviewer or the day the reviewer made its decision.
8. If the household did not request a review of a decision to deem the household ineligible for rent-geared-to-income assistance and subsidy has been revoked, the household must provide a written request for an extension of time to request an internal review of the decision. If the Housing Provider determines there are extenuating circumstances that prevented the household from requesting an internal review and providing the necessary documentation or information within the required timelines, the Housing Provider may approve the request for the extension of time and shall conduct an internal review.
9. Upon completion of the internal review, if the decision is made that the household is eligible for rent-geared-to-income assistance, the Housing Provider shall reinstate subsidy effective the first day of the month in which the decision is made. If the market rent was charged and payable for more than one month, the household shall be responsible to pay the market rent and Housing Providers should allow households to enter into a repayment agreement.
10. If the decision is that the household is no longer eligible for rent-geared-to-income assistance and subsidy is revoked, the Housing Provider must give the household, a minimum of Ninety days' notice that the rent will increase to market rent effective the first day of the month following the ninety days.

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11. The Housing Provider shall retroactively reinstate subsidy to the day it was revoked, even if market rent was payable for more than one month, if it is determined that extenuating circumstances prevented the household from requesting an internal review and providing the necessary documentation or information within the required timelines, when eligibility of the household is proven.

12. A decision made by the reviewer is final once it is made.

**NOTE:** The Service Manager reserves the right to randomly audit internal review decisions. If the Service Manager determines the review to be inaccurate, they may undertake to review the decision again.

Reporting – Each Housing provider will submit a complete copy of the chart below, to the Service Manager, on a quarterly basis.

Tenant's Name	Address	Date Review Received	Date Review Completed	Reason For Review	Reviewer Decision

*Service Manager Decisions*

The Service Manager shall follow the internal review process set out in six steps listed in this Directive.

1. The following Service Manager decisions are reviewable based on the two points below:

- Household is deemed ineligible for placement on the registry waitlist
- Household is not approved for priority status.

2. Households must be notified, in writing, of the decision made by the Service Manager. The Notice of Decision must state the four points listed below:

- the effective date of the decision; and
- the reasons for the decision; and
- the process to request a review; and
- must allow a minimum of thirty (30) calendar days to request the review.

3. Within ten business days following expiration of the request for review or upon receipt of the additional information, the Service Manager shall make a decision and provide a written notice of the decision to the household. The notice must state the two points listed below:

- the effective date of the decision; and
- the reasons for the decision

4. If the household requests an internal review, the Service Manager shall conduct the review and must ensure that the individual(s) conducting the review meet the three points listed below. The Reviewer:

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- has not discussed the decision with the decision maker; and
- has not participated in the original decision; and
- is knowledgeable about the relevant provisions of the Act and regulations.

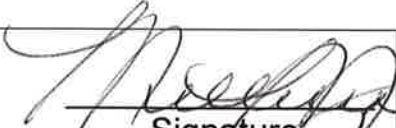
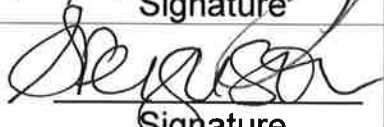
5. If the household did not request a review of a decision of the Service Manager, within the allotted time frame, the household must provide a written request for an extension of time to request an internal review of the decision. If the Service Manager determines there are extenuating circumstances that prevented the household from requesting an internal review and providing the necessary documentation or information within the required timelines, the Service Manager may approve the request for the extension of time and shall conduct an internal review.

6. A decision made by the reviewer is final once it is made.

**References**

Housing Services Act, 2011, section 155, 156, 158 & 159  
 O. Reg. 367/11, section 138 & 139  
 O. Reg. 298/01, section 52 & 53

<b>Local Audit Requirements</b>	
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<b>Completed by:</b>	Mellissa Morgan	 Signature	<b>Date:</b> January 29 <sup>th</sup> , 2018
<b>Approved by:</b>	Stacey Ferguson	 Signature	<b>Date:</b> January 29 <sup>th</sup> , 2018