

Rule # 11-2015

**Misrepresentation of Income**

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Originally Approved: December 2015

Revision Date:

**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 (SDG) operating under the *Housing Services Act, 2011*.

**Intent**

The intent of this Local Rule is to identify how misrepresenting a household's income for the purpose of receiving RGI assistance can impact on a household's eligibility to be placed on the centralized waiting list for RGI assistance.

Eligibility Criteria:

- Where a member of an applicant household has been convicted of an offence **or a crime under the Criminal Code (Canada)** in relation to the receipt of RGI assistance, or has been found by the Landlord and Tenant Board (LTB) to have misrepresented his/her or their household's income in relation to the receipt of RGI assistance, the household is not eligible to be placed on the centralized waiting list for RGI assistance for a period of up to five years.

**Local Rule**

Operational Considerations:

- Applicant households, with a member who has been found to have misrepresented their income for the purpose of receiving RGI assistance, will be ineligible to be placed on the centralized waiting list until it is confirmed that their period of ineligibility has expired.
- Housing Providers should report all convictions or findings for misrepresentation to the Service Manager (the Registry). Applicant

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- households convicted or found to have misrepresented their income should be entered into the database with a status of Ineligible in order to track their period of ineligibility.
- An applicant household ineligible for misrepresentation shall not be permitted to reapply for assistance for five years from the date of the offence, crime or the date of the misrepresentation.
- Applicant households ineligible from applying for RGI assistance due to misrepresentation will be assigned a status of **Ineligible** in the ROWCAS database, until such time as their five-year penalty period has expired.
- Applicant households reserve the right to appeal any decision relating to Misrepresentation of Income (as per Local Rule 06-2015).

Note: Decisions based on this rule must not determine households to be ineligible in respect of a conviction that occurred more than two years before the determination of ineligibility for RGI subsidy.

Documentation Requirements:

- A copy of a criminal court conviction or LTB finding is required from the Housing Provider to confirm the misrepresentation, before the household will receive an **Ineligible** status.
- Documentation verifying that the household's period of ineligibility has expired is required before a household can have their name added to the centralized waiting list.

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*Housing Services Act, 2011, sections 42, 55*

**References**

*O. Reg. 367/11, section 36*

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<b>Local Audit Requirements</b>	
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<b>Completed by:</b>	Mellissa Morgan	 Signature	<b>Date:</b> December 2015
<b>Approved by:</b>	Stacey Ferguson	 Signature	<b>Date:</b> December 2015

