

2016 ONPHA Conference and Trade Show

311

Review of Decisions Under the HSA

PRESENTED BY: Paul Chisholm, City of Toronto
Lisa Goodfellow, City of Ottawa
Roberta Jagoe, Region of Durham
Carol Barber, Cochrane DSSAB

ONPHA



City of Toronto

The City of Toronto

- More than 93,000 units under administration with about 69,000 units of RGI.
- 244 community non-profits and Toronto Community Housing (63% of units under administration).
- Number of ongoing related initiatives
 - RGI Administrative Manual
 - Raising the Bar
 - Housing Stability Service Planning



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Reviews in the City of Toronto

- Under SHRA reviews were the responsibility of the providers and the wait list administrator.
- RGI Guidelines and administrative manual provided direction.
- Phased Changes:
 - Set Loss of Eligibility requirement, process and forms.
 - Set up a review body to address Loss of Eligibility reviews
 - Providers responsible for reviews for decisions not related to loss of eligibility: occupancy standards, rent reviews, etc.
 - Housing Connections has separate review body for wait list administration



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Reviews by the Numbers

	2012	2013	2014	2015	YTD 2016
Loss of Eligibility Reviews	17	33	35	96	122
Wait List Reviews	144	79	54	50	25

- Most Common LOE reason in 2015 was failure to provide information;
- Most common wait list reviews relate to priority eligibility and applications canceled for 3 refusals



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Time to review the reviews...

- Striking the balance - 'eviction prevention' vs 'Loss of Eligibility';
- Panel Composition – Community panel vs provider panel
- Process Review – tenant, provider and service manager perspective
- Related remedies – connection with RTA, misrepresentation, etc.



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City of Ottawa

The City of Ottawa

- Currently over 22, 500 social housing units under our administration, of which approximately 18, 500 units are RGI
- 54 Social Housing Providers, both non-profit and co-op
- Total of 307 projects (OCHC 167, all other 140)
- Designated Bilingual Service Manager
- On average 10, 000 – 10,500 Households on CWL
- Average wait time for RGI Housing 5 – 7 years



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Local Priorities

We currently have six (6) Local Priorities :

- Homeless
- Urgent Safety
- Urgent Medical
- Tenant of a Supportive Housing Provider
- In-situ Market Rent Household
- Displaced RGI Household



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History of Internal Review Process

- The Service Manager undertook a pilot internal review process in April 2009 as approved by Council in September 2008
- Internal reviews of RGI decisions are heard by an impartial, independent body
- Community based three (3) person quasi-judicial panel to hear internal reviews
- One panelist on each panel is chosen from the Service Manager (Chair), Housing Provider Sector, Tenant Advocacy Sector



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Implementation Plan

In 2009:

- SM Directives and Bulletins were issued
- SM Teleconference and training with Providers and CWL staff
- Amendment to SM- HP Service Agreement (RGI delegation)

In 2013:

- City of Ottawa RGI Guide and associated training

In 2015:

- 2 day training event, including templates, form letters, etc.



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Decisions Eligible for an Internal Review

1. Rent calculations of RGI rent payable
2. Ineligibility for RGI assistance
3. The type of accommodation in which the applicant household may be housed (occupancy standards, over housed)
4. Placement category on a waiting list
5. Ineligibility for special needs housing



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Basic steps of internal review

10 Steps of Process

- 1) Notice of RGI Decision
- 2) Internal Review Request by Household
- 3) Provider Notification to the Service Manager
- 4) Review Package Submitted to the Service Manager
- 5) Service Manager Schedules Internal Review Panel Hearing
- 6) Pre-Review Occurs between Provider and Household
- 7) Internal Review Panel Hearing Occurs
- 8) Review Panel Makes Final Decision - Decision Letter
- 9) Service Manager Issues Final Decision to Provider and Household
- 10) Provider Implements Decision



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Internal Reviews By the Numbers

Type of Hearing	# of Hearings	Decisions Overturned	Percent	Decisions Upheld	Percent
Urgent Medical	121	8	6.61%	113	93.39%
Urgent Safety	36	2	5.55%	34	94.45%
RGI – Rent Calc.	119	53	44.53%	66	55.47%
Homeless Status	10	0	0%	10	100%
Cancelled Status	30	10	32.25%	20	67.75%
Additional Bedroom	24	3	12.5%	21	87.5%
Loss of Eligibility	37	10	27.02%	27	72.98%
Multiple Priority Hearings	1	0	0%	1	100%



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Statistics Continued 2014-2016

Decisions	Requests	% of Requests
CWL Decisions	248	56.55%
Housing Provider Decisions	189	43.45%
Total # of Hearings	437	

2014 Total – 137 Internal Review Hearings

2015 Total – 159 Internal Review Hearings

2016 as of October 13th – 141 Internal Review Hearings



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Main Reasons Decisions Overturned

- 1) New information was received after the original decision was made
- 2) Error in interpretation of the legislation
 - #1 reason – implementation date
 - #2 reason – improper notice of decision
- 3) Incorrect Rent Calculation



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Survey Says....

Two surveys have been completed by participants of the current internal review process. (Spring 2010 & Fall 2014)

Key findings:

- Participants felt the current process was fair and transparent
- Participants felt they were heard and understood in their language of choice
- Households felt it was their right to use the IR process
- Households had little understanding of the process



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Survey Says Continued

- Housing Providers had a basic to good understanding of the IR process from beginning to end
- Housing Providers want training on what documentation to include in the IR submission, and how to prepare the Household including what to share with them



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Benefits of Community Based Approach

- Participant engagement in process
- Perceived impartiality and transparency
- Better understanding of legislation, policies and procedures by appellants, panelists, housing providers, tenant advocates
- More consistent decision making
- Better outcomes after IR panel final decisions issued



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...And the challenges

- Significant dedicated staff resources required to properly administer (SM, CWL, HP and Tenant Advocacy)
- Panelist availability
 - experienced bilingual panelists
 - more frequent conflicts of interest
- Timelines to complete hearing
- Cost



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Region of Durham

Durham Regional Review Process

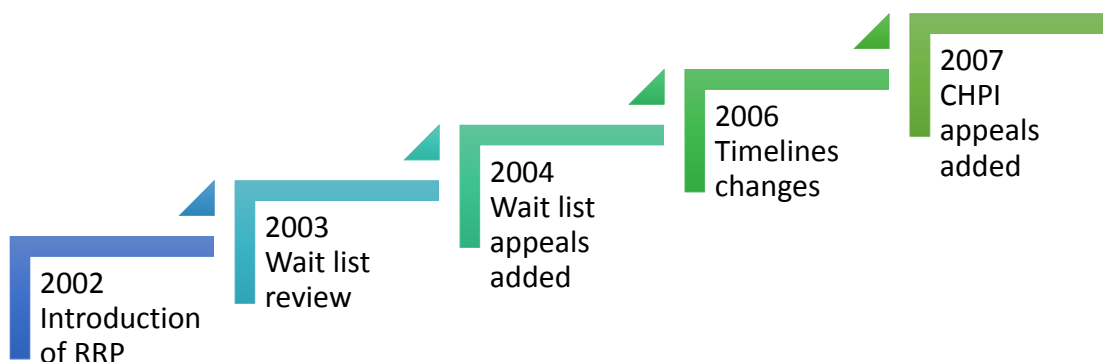
- Regional Review Process – April 2002
 - Transparency and consistency
 - Social Housing Advisory Group
- Refusals to offer
- Housing Access Centre (HAC) / Durham Access to Social Housing (DASH)



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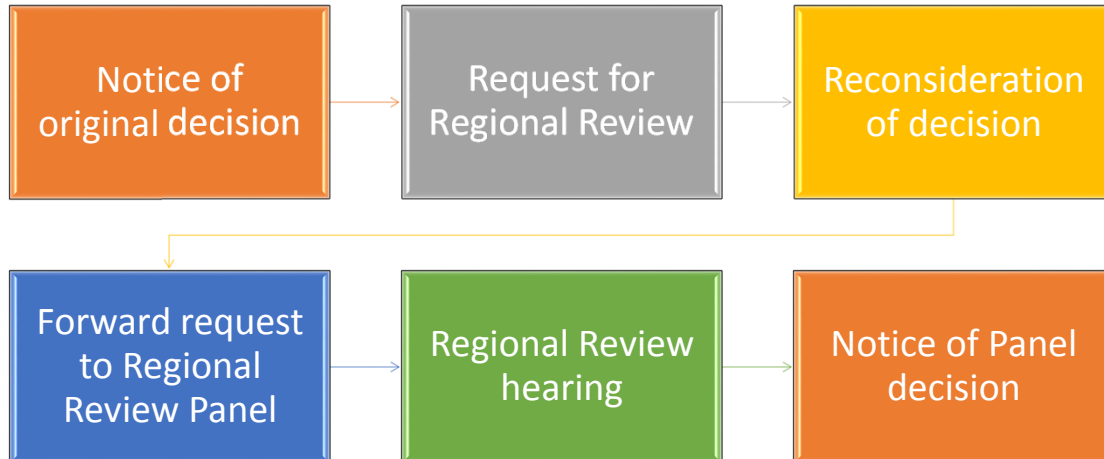
Evolution of Regional Review Process



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Regional Review Process

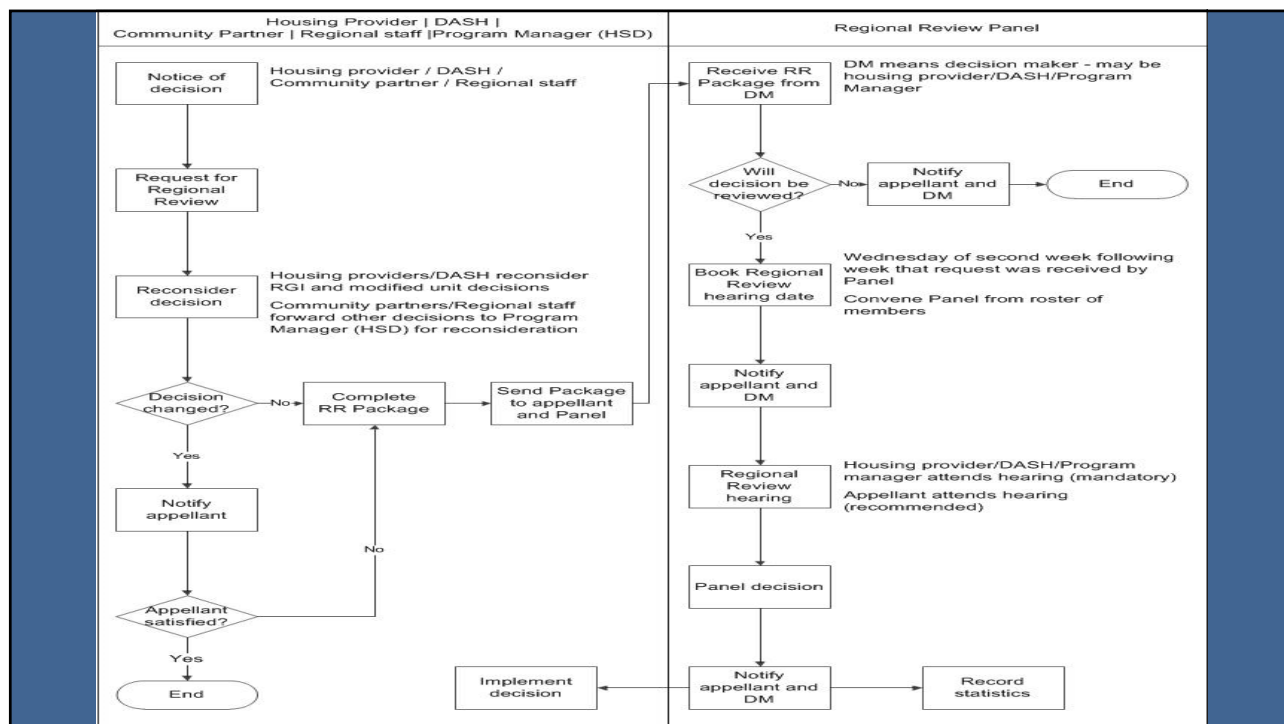


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Notice of right to request a Regional Review

If you disagree with this decision, you may request a Regional Review of it within 10 business days. To request a Regional Review, you must write to [housing provider or DASH] stating the reasons that you disagree with the decision. If we are unable to address your concerns, we will forward your request to the Regional Review Panel for review



Regional Review Hearing



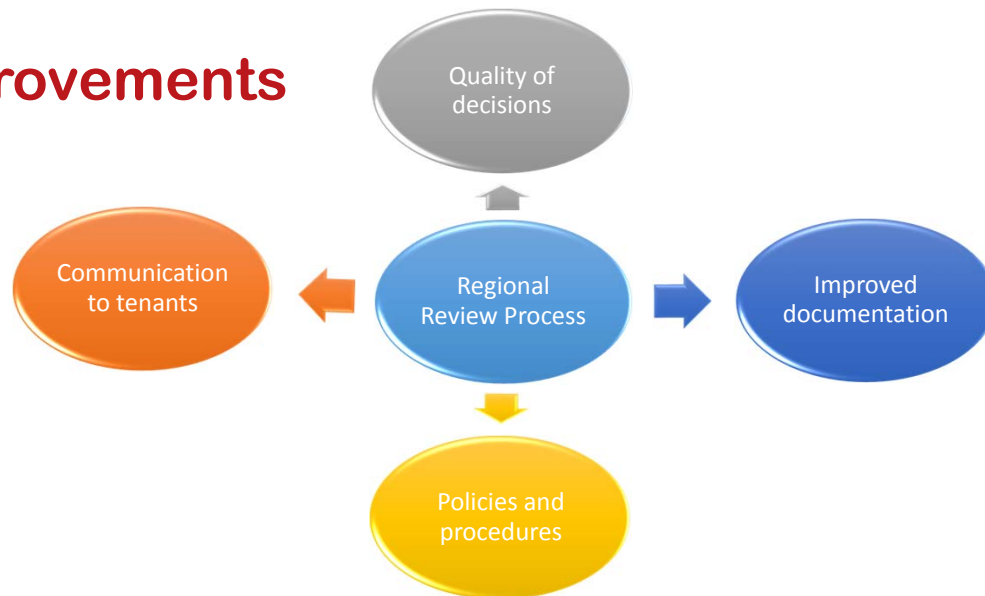
- Completed within 30 days
- Informal process
- Housing provider must attend and explain decision
- Only information presented to Panel is considered



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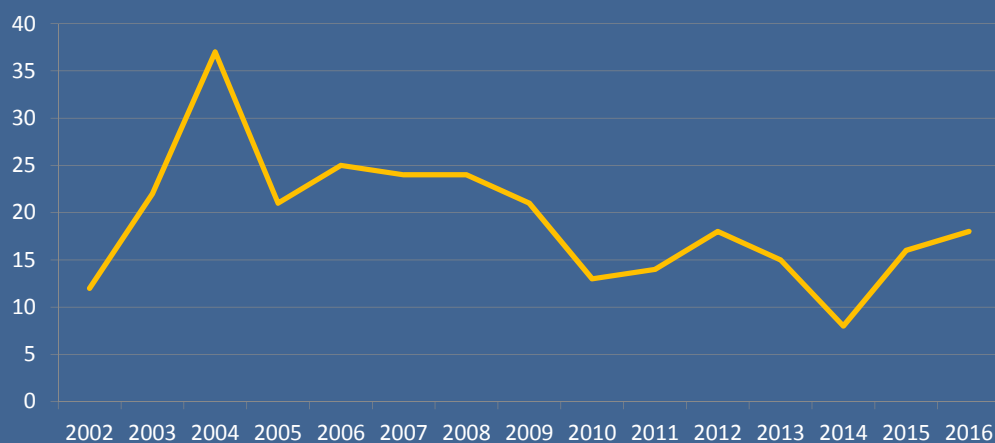
Improvements



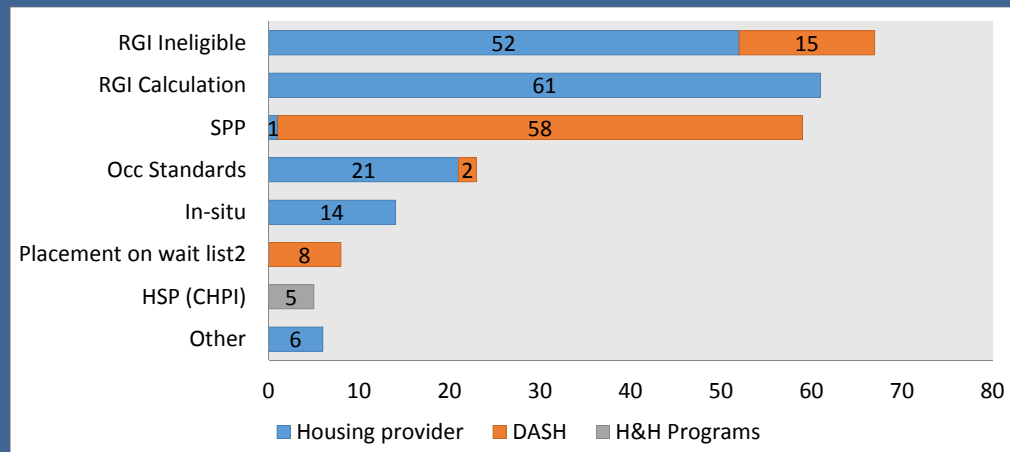
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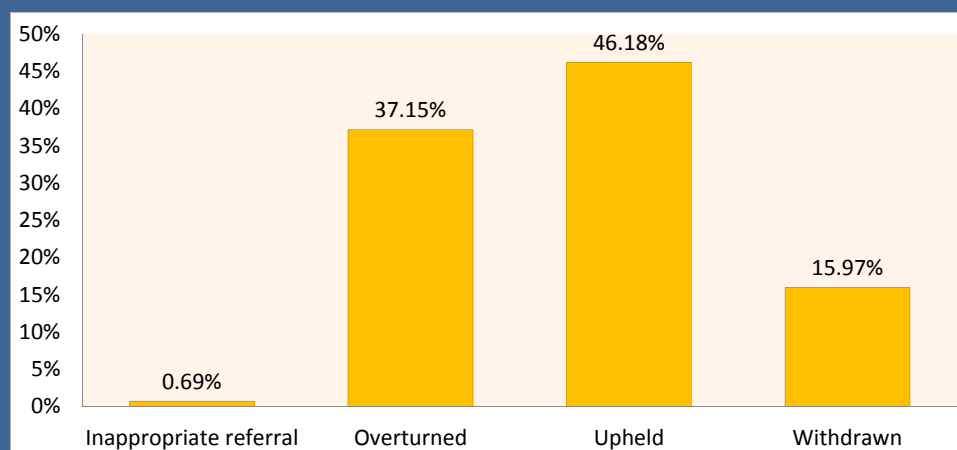
Regional Reviews



Type of decisions for review



Outcomes of Regional Reviews



For more information

- Regional Municipality of Durham
- www.durham.ca
- Services > Housing > Information for Housing Providers > Regional Review Panel
- Directive RGI 2014-04



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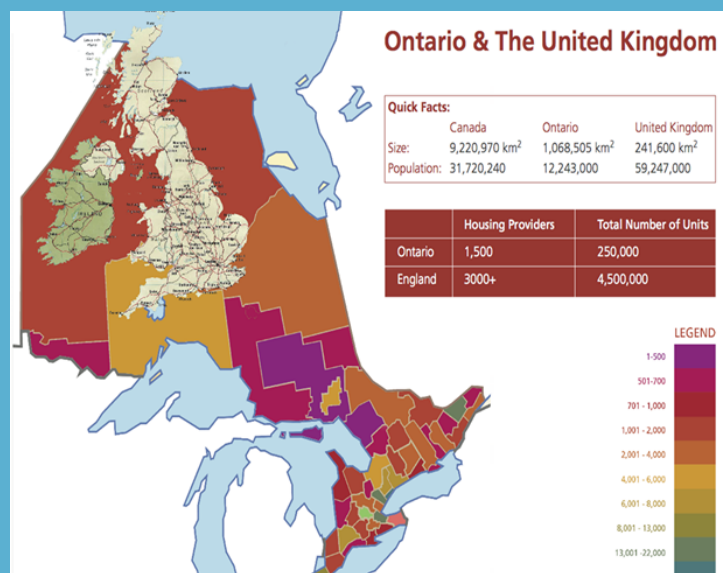
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Cochrane DSSAB

“This is how we do it”



Cochrane Context





August xx,xxxx

Name
Address
City, Province
Postal Code

Dear XXXXXXXX;

This letter will serve to acknowledge receipt of your supporting documents in your request for Special Status for Homeless.

After careful examination of the supporting documents, it has been deemed that you do not qualify for **Special Status-Homeless. Homeless/Urgent Medical statuses do not apply to market renters.**

Your application will remain on the regular waiting lists you had specified. Please note that there are other areas and communities that are served by this application and as previously discussed, I would be pleased to add your name to any of the Communities should the need arise.

Should you wish the decision to be reviewed, please forward your request, **within 30 days of this letter, in writing, to the attention of the Program Manager** at the address noted above. The review will be presented to the Internal Review Committee. You will be advised of the date, time and place and be requested to make representation of your case in person and/or with a representative. You will be advised of the Committee's decision in writing.

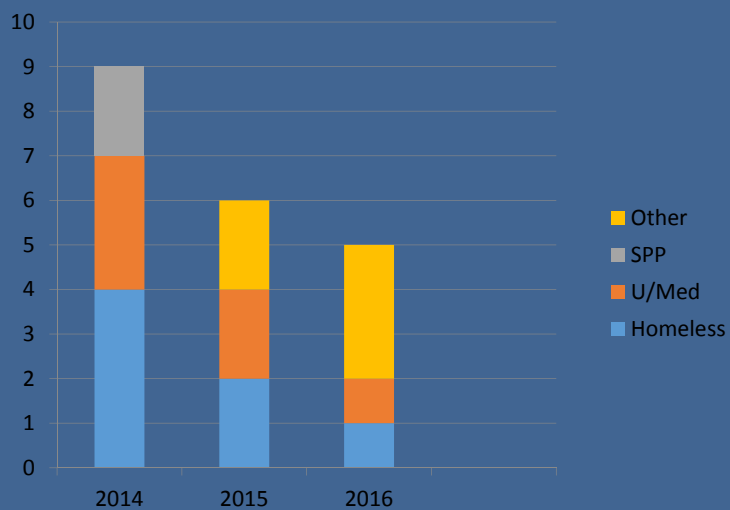
Yours truly,

XXXXXXXXXX,
Case Aide Intake Worker



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“A committee of one gets things done.”

Joe Ryan



How can ONPHA help you?

- 1. Visit ONPHA online:**
onpha.on.ca
 - handbooks and guides
 - sample policies
 - Info Ons
- 2. ONPHA Member Support Hotline:** 1-800-297-6660
- 3. ONPHA Education Program**
 - Online courses: RGI, RTA, Finance and Governance
 - Webinars
 - In-person training
- 4. ONPHA Conference**
 - Join us in 2017 in Niagara Falls, November 3 - 5



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Thank you!

ONPHA values your opinion. Please complete a workshop evaluation.