



Municipality of Chatham-Kent  
**Social Housing Policies & Procedures**

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<b>Subject:</b> Local Occupancy Standards	<b>Policy No. SH-1618</b>
<b>Scope:</b> All Social Housing Participants	<b>Legal/Cross Reference:</b> Housing Services Act, 2011 s.43,46 O. Reg. 367/11 s.38 RGI Administration Agreement
<b>Issued Date:</b> November 17, 2015 <b>Effective Date:</b> January 1, 2016 <b>Last Revised Date:</b>	<b>Approval:</b> <u>Original signed by Director</u> <b>Director, Housing Services</b>
<b>Previous Policy No.:</b> SH-0218 <b>Original Issue Date:</b> May 29, 2002 <b>Last Revised:</b> May 1, 2008	

**I. PURPOSE:**

To establish local occupancy standards for rent-geared-to-income units.

**II. RESPONSIBILITY:**

**A. Service Manager:**

1. Administer a local occupancy standard for the purposes of determining the size and type of unit in respect of which a household is eligible to receive rent-geared-to-income assistance, the following shall apply:
2. The largest unit a household is eligible for is a unit that has:
  - i. One bedroom for any two members of the household who are spouses of each other or same-sex partners of each other;
  - ii. One bedroom for each additional member of the household
  - iii. Any additional bedroom under subsection 3;
  - iv. Despite subsection 2) (ii) and (iii), to allow for equitable access to rent geared-to-income accommodation, special consideration will be given for family households eligible for more bedrooms than are available. The largest size of unit available within the Service Manager's service area may be allocated. Individual housing providers reserve the right to determine whether an available unit is suitable according to the applicant household's family composition (i.e., "number, gender and ages of the members"). These special circumstances will need to be assessed on a case by case basis and must be fully documented so as to support the decision of the housing provider.
3. The additional bedrooms referred to in clause 2.iii. are the following:
  - i. An additional bedroom if one of the spouses or same-sex partners referred to in clause 2.1 requires a separate bedroom because of a disability or medical condition.
  - ii. An additional bedroom if the room is required to store equipment required by a member of the household because of a disability or medical condition.
  - iii. An additional bedroom if the bedroom is required to accommodate an individual who is not a member of the household and who provides a member of the household with support services that are required because of the member's disability or medical condition.

- iv. An additional bedroom if a member of the household is pregnant.
  - v. An additional bedroom if,
    - a. A member of the household has joint custody over a child who is not a member of the household,
    - b. The member is required to provide accommodation for the child, and
    - c. The bedroom is required to accommodate the child.
  - vi. An additional bedroom if,
    - a. A member of the household has visiting rights with respect to a child who is not a member of the household,
    - b. It is a condition of the member's visiting rights that the member must provide adequate accommodation for the child when the child stays overnight with the member,
    - c. The child will stay overnight with the member frequently, and
    - d. The bedroom is required to accommodate the child.
  - vii. An additional bedroom or bedrooms if the service manager is satisfied that extenuating circumstances exist.
4. An additional bedroom shall be included under clause 2) (iii) only if the household requests it.
5. The local occupancy standard with respect to determining the smallest unit a household is eligible for:
- The smallest unit a household is eligible for is a unit that has:
- a. One bedroom for every two members of the household; and
  - b. An additional bedroom if there is an odd number of members in the household.
  - c. Despite subsection (a), if the household consists of one individual or two individuals who are spouses of each other or same-sex partners of each other, the unit the household is eligible for is a bachelor unit.
  - d. Despite subsection (a), a child may not share a bedroom with an adult.
  - e. Despite subsection (a), children of the opposite sex may not share a bedroom.
- [Sections 5(c) and 5(d) are added retroactively to August 28, 2002 per the Minutes of the Chatham-Kent Social Housing Advisory Group Meeting on that date.]
6. With respect to clarifying the treatment of students living away from the household in determining the appropriate size unit for rent-geared-to-income households:
- a. A child of a member of the household is a member of the household if the child,
  - b. Is in full-time attendance at a recognized educational institution and, while in attendance, does not live with the household;
  - c. Lives with the household while not attending that educational institution; and
  - d. Is dependent, in whole or in part, on the household for financial support.
7. Applicants are requested to indicate what size and type of unit they are applying for when completing a CK Housing Services application. Once an application has been submitted, an applicant's request to alter their occupancy request (i.e. size and type of unit being applied for) must be submitted in writing. Such requests may be withdrawn by the applicant, provided that the withdrawal of the request is in writing to Chatham-Kent Housing Services.
8. Despite section (7) above, tenants/members in-situ and compliant with occupancy standards at the social housing providers' Point of Transfer (April 1, 2002) shall be

deemed to be compliant with this social housing policy (SH-1405) for the purposes of their Periodic and/or Annual RGI Reviews. This grand-fathering proviso shall apply provided that the affected tenants/members continue to occupy the Unit they occupied on March 31, 2002 and that their household composition has not changed on, or following April 1, 2002. [Section 8 applies retroactively to April 1, 2002. This change was noted in the Minutes of Chatham-Kent Social Housing Advisory Group meeting held on January 22, 2003.]

**B. Housing Provider:**

1. Select applicant households from the internal transfer list or subsidiary waiting list for the housing project in accordance and compliance with local occupancy standards and any provincial occupancy standard that has not been replaced with a local occupancy standard.
2. Use the local occupancy standards when carrying out the responsibilities of the housing provider with respect to Annual Reviews and/or Periodic Reviews of RGI Assistance, pursuant to social housing policies SH-1408 and SH-1409 respectively.

**III. PROCEDURE:**

**A. Service Manager:**

1. Apply these established local occupancy standards in the process of assessing and determining RGI eligibility of an applicant household, pursuant to social housing policy SH-1605, RGI Application – Eligibility Determination. Inform applicant of the largest and smallest unit size and/or type the household is eligible for.
2. Include information concerning the type of accommodation an applicant household is eligible for, pursuant to social housing policy SH-1606, RGI Application – Notice of Decision.
3. Maintain Social Housing and subsidiary waiting lists and manual records (where applicable) in accordance with the local occupancy standards with respect to each application.
4. Alter occupancy requests of applicant households only upon written request to alter size and/or type of unit being applied for, or upon written notice of withdrawal of the request to alter the application.
5. Provide housing providers with/access to an up-to-date subsidiary waiting list(s) which include an indication of the applicant's eligibility for a unit size and/or type.

**B. Housing Provider:**

1. When filling a vacant rent-geared-to-income unit, review eligible households on the internal transfer list and access the up to date subsidiary waiting list via remote computer link to the CKCAS for the housing project. Select an applicant household that is eligible for the size and type of unit coming vacant, in accordance with internal transfer policy and social housing policy SH-1617 Local Priority Rules. Consider in-situ market rent households for RGI assistance if ranked highest on the subsidiary waiting list, meets target plan requirements and has Chatham-Kent Social Housing approval.
2. When reviewing the on-going eligibility of rent-geared-to-income households, regardless of whether the review is annual or periodic, apply local occupancy standards to RGI eligibility assessment.

**IV. NOTES:**

1. SH-1605 RGI Application – Eligibility Determination
2. SH-1606 RGI Application – Notice of Decision
3. SH-1608 RGI Review of Eligibility – Annual
4. SH-1609 RGI Review of Eligibility – Periodic
5. SH-1617 Local Priority Rules

**V. MMAH GUIDE TO RGI ASSISTANCE:**

Section 5 applies.