



TITLE

Housing Services Internal Policy, Social Services Department, United Counties of
Prescott and Russell, Absence From Unit

Policy NO.:

SL 024

REVISIONS EFFECTIVE DATE:

March 27, 2017

Effective Date:

August 25, 2014

Applies to:

The policy and procedures contained in this document apply to the
following Housing Providers:

- Public Housing
- Municipal & Private Non-Profit
- Rent Supplement*

*incl. former OCHAP/CSHP



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Purpose of the policy

The purpose of this document is to inform Housing Providers of the United Counties of Prescott and Russell's policy under the *Housing Services Act, 2011, O. Reg. 367/11, s. 37*, regarding a Rent-Geared-to-Income (RGI) household's absence from their unit.

The policy addresses:

- The permitted time period for an absence from the unit;
- Exceptional circumstances under which the time period for an absence from the unit can be extended; and
- the Housing Providers' requirements for administering the policy.

Background

Under the *Housing Services Act, 2011, O. Reg. 367/11, s. 37*, the Service Manager still has discretion to implement an absence from unit local rule, which can now also address the maximum number of consecutive days absent from unit (at least 60) in addition to, or instead of, the maximum number of days in a year absent from unit (at least 90).

United Counties of Prescott and Russell's policy under the Housing Services Act, 2011

- Maximum consecutive days absent (60 days), O. Reg. 367/11, s. 37 (3)

In the United Counties of Prescott and Russell, a household will be found ineligible for RGI assistance if all members of the household are absent from the unit for more than **60 consecutive days**, within any 12-month period, **unless** the household:

- is determined to have extenuating circumstances; or
- meets the exemption criteria of a serious medical condition.

Note: The 60 consecutive days are still counted across the change in the calendar year.

Example: A household that was absent from the unit between December 1, 2013, and February 1, 2014—a total of 62 days—would be considered to be absent for more than 60 consecutive days.

AND

- Maximum days in a year absent (90 days), O. Reg. 367/11, s. 37 (4)

In the United Counties of Prescott and Russell, a household will be found ineligible for RGI assistance if all members of the household are absent from the unit for more than **90 days**, within any 12-month period, **unless** the household:

- is determined to have extenuating circumstances; or
- meets the exemption criteria of a serious medical condition.

Note: The 90 days are still counted across the change in the calendar year.

Example: A household that was absent from the unit from December 1, 2013, to January 23, 2014 (53 days) and from Feb. 15 to Feb. 20, 2014 (five days), then from Apr. 14 to May 1, 2014 (17 days), and finally from Sept. 15 to Oct. 1, 2014 (16 days)—a total of 91 days—would be considered to be absent for more than 90 days.

Extenuating circumstances

If a Housing Provider determines the household has extenuating circumstances, the Housing Provider may extend the time period permitted for the absence, up to a maximum of six months/180 days.

Examples of extenuating circumstances that can include, but are not limited to, the following:

- Incarceration, which for this policy includes:
 - awaiting trial and not convicted.
 - Serving time after conviction.
- Illness/death of an immediate relative (spouse/partner, child, parents, siblings, or legal guardian).

Medical reasons that do not require the household to be absent for more than six months/180 days (i.e., is not considered a *serious medical condition*).

Exemption from policy—Serious medical condition

A household is exempt from the *Absence From Unit* policy if a household member has a serious medical condition that requires:

- the household member to be absent from the unit for more than 60 consecutive days; and
- all other household members to be housed elsewhere as a result.

In this circumstance,

- the household is not considered to be absent from the unit (i.e., the six-month/180-day maximum time limit does not apply); and
- Housing Providers are to monitor the situation to ensure the household will (at a future date) be able to return to the unit to live independently with or without support services. (For more information, refer to the *Monitoring Absence* section below).

Examples of serious medical conditions that can include, but are not limited to, the following:

- Cancer.
- Kidney disease.
- HIV/AIDS.
- Mental illness.
- Addictions.
- Any other serious medical condition that may require extensive medical treatment (and, therefore, an absence from the unit).

Verification

The following provides the types of verification documents Housing Providers can accept in situations where a household has been or will be absent for longer than 60 consecutive days:

- a) **If the household is absent from the unit for more than 60 days**, because a household member is ... **incarcerated**, while awaiting trial and/or after conviction, **a letter of verification should be provided from:**
 - the member's Lawyer, a Prison Official, or a Social Worker.
- b) **If the household is absent from the unit for more than 60 days**, because a household member is ... required to live elsewhere because of **illness/death of an immediate relative** and has received permission from the Housing Provider to be absent from a maximum of six months/180 days, **a letter of verification should be provided from:**
 - the ill relative's Physician.
Note: Instead of a letter from the Physician, a death certificate, as appropriate, can also be provided upon return to the unit.
- c) **If the household is absent from the unit for more than 60 days**, because a household member is ... required to be accommodated elsewhere because of **medical reasons**, **a letter of verification should be provided from:**
 - the patient's Physician (who lives and is licensed to practise in Ontario), which verifies:
 - their patient has a particular medical condition or disease.
 - the length of time for the treatment.
 - the patient has to be accommodated elsewhere because of the treatment;



and

that after the treatment, the person will be able to return to the unit to live independently with or without support services.

Household determined ineligible for RGI assistance

If a household is determined ineligible for RGI assistance under the *Absence From Unit* policy, the Housing Provider will remove subsidy from the household and issue notification within seven days of the ineligibility decision that includes (as per *O. Reg. 367/11, s. 61*):

- date of the decision.
- reason(s) for the decision.
- whether a review of the decision can or cannot be requested and submitting a request for review of the decision.

(Note: RGI ineligibility will take effect from the date of the notice).

Best practices

Housing Providers are encouraged to:

- ensure all RGI households are informed of this policy in writing.
- contact the household to confirm information about an absence from unit if the information was received from a third party; and

use their best judgment and consider reasonableness when assessing extenuating circumstances.

Policy rationale

Housing Services Act, 2011 Local Rules consultation sessions stakeholders generally expressed:

support for the current policy, recognizing it helps maintain the integrity of the housing program by ensuring RGI units are being lived in the majority of the time rather than being accessed as a secondary/alternative accommodation (unless exceptional circumstances warrant a longer absence).

Monitoring absence

It is not practical for an RGI unit to remain unoccupied for an indefinite period of time for any reason, including a medical reason, even if the rent is being paid. As such, the Housing Provider should be satisfied that the household will be able to return to the unit



and be able to live independently, with or without support services, within a reasonable period of time.

When a unit is left vacant for an extended period of time for medical reasons, it is suggested that the Housing Provider request the household to provide an update from their Physician or a justification of prolonged absence from the unit every three months (or a time close to the end of the treatment time provided by the Physician).

Legislation

- *Housing Services Act, 2011, s. 42*
- *O. Reg. 367/11, s. 37*

Questions

If you have questions about this document, please contact your Housing Services Supervisor at the United Counties of Prescott and Russell.

APPROVED BY: Original copy signed by Sylvie Millette

DATE: _____