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INCREASING DISABLED ACCESS TO MODIFIED HOUSING UNITS (LOCAL RULE)

The Community Services and Housing Committee recommends the adoption of the recommendations contained in the following report, February 27, 2007, from the Commissioner of Community Services, Housing and Health Services:

1. RECOMMENDATIONS

It is recommended that:

1. Council approve the establishment of a local rule which would allow people with disabilities who are 45 years of age and older to be eligible for modified units in seniors' buildings.
2. Council approve modifications to the occupancy standards for the largest unit a person with disabilities, under the age of 45, can occupy.
3. The Commissioner of Community Services, Housing and Health Services be authorized to take all necessary steps to give effect thereto.

2. PURPOSE

The purpose of this report is to seek Council approval for the establishment of local rules for people with disabilities to enhance eligibility for modified units in the municipality where they receive support from their family and/or community and to improve access to services that help people with disabilities live independently.

3. BACKGROUND

After devolution of social housing in 2000, the Province transferred the administration of 326 modified units to the Region. These are units designed for individuals with a physical disability in order to allow them to live independently. There are now approximately 380 modified units administered by the Region. Of these units, there are 248 one-bedroom units, 96 two-bedroom units and 36 three-bedroom units.

Of the one-bedroom units, 65% (160) are located in seniors' buildings. In the Township of King, the Towns of Whitchurch-Stouffville, Aurora, Georgina, and East Gwillimbury, one-bedroom modified units are only located in seniors' buildings. In these five municipalities, a single person or couple under the age of 60 with a physical disability would have to move out of their municipality to be eligible for a modified unit. As a result, a person with disabilities may have to move out of the service area of a support

program in which they participate. They may be required to travel long distances to continue with such community supports as employment programs, doctors and/or family.

Two-bedroom, or three-bedroom modified non-seniors' units are available in almost all of the municipalities with the exception of the Township of King and the Town of Whitchurch-Stouffville. These two municipalities do not have any non-seniors' social housing buildings.

Attachment 1 is a break down of the number of modified units by unit size, in each municipality.

3.1 Current Local Rules Impacting Eligibility

Under the *Social Housing Reform Act, 2000* (SHRA) a household must require the modifications in order to be eligible for that unit. In addition to this provincial regulation, there are two local rules that also impact a person with a disability eligibility for a modified unit in the municipality in which they wish to reside:

1. "Age Requirements for Seniors' Housing" - prescribes the minimum age that an applicant must be before they are eligible for a seniors' building. According to this local rule, a household is eligible for seniors' housing if one member of the household is at least 60 years old or older.
2. "Occupancy Standards: Largest & Smallest Unit Eligibility" - sets the standard for the size of the unit a household must occupy. According to these standards the largest unit a rent geared-to-income (RGI) household is eligible to occupy has one bedroom for every member of the household, with couples sharing. Households can request additional bedrooms under certain circumstances such as space for medical equipment.

4. ANALYSIS AND OPTIONS

In 2001, there were 83,290 individuals 15 years of age and over with disabilities living in York Region. This represents 15% of all individuals 15 years and over in York Region.

The table below demonstrates the distribution of people with disabilities 15 years of age and older, living in York Region.

Table 1
People with Disabilities, York Region 2001

Age Group	Number of People with Disabilities	Proportion
15 and over	83,290	100%
15-24	5,615	7%
25-44	16,435	20%
45-59	22,330	27%
60-64	7,680	9%
65+	31,230	37%

Source: Statistics Canada, Custom Tabulation, Census 2001

As demonstrated in Table 1, 27% (22,330) of people with disabilities in York Region are between the ages of 45 – 59 years. In comparison, 9% (7,680) of adults with disabilities are between the ages 60 and 64.

Under the current local rules people with disabilities between the ages of 45 and 59 are only eligible for non-seniors' buildings.

A local rule that addresses the lack of one-bedroom modified units in non-seniors' buildings, especially for municipalities such as the Township of King, Towns of Whitchurch-Stouffville, Aurora, Georgina, and East Gwillimbury, will help improve access to social housing for a large vulnerable group.

4.1 Considerations for Modifying the Age Requirement

Prior to the SHRA, housing providers set their own age requirements for seniors' buildings. After the proclamation of SHRA, senior mandates were set at age 65 for social housing providers. The Region established a local rule in 2004 that reduced this age to 60.

A cross-jurisdictional scan of Service Managers across Ontario indicates that the age requirement for seniors' buildings is different in each jurisdiction. Many Service Managers allowed the housing providers to maintain the age limit that was set prior to SHRA. The lowest age requirement was 50 in a seniors' building in Ottawa.

Several Service Managers also have an informal policy that allows adults with disabilities as young as 40 be eligible for seniors' buildings. The decision to place a non-senior with a disability in these buildings is based on the need for modified units and the fit with a seniors' community. Also considered are vacancy losses experienced by housing providers who find it difficult, at times, to fill their modified units due to provincial requirements.

4.1.1 Supportive Housing Tenants

There are thirteen housing providers in York Region that have operating agreements with supportive housing providers. Of the thirteen providers, three providers have operating agreements with Participation House. Participation House has placed adults with disabilities who are in their 40's in seniors' buildings. Consultations with other Service Managers indicate that this is a common practice in other jurisdictions across the Province.

The feedback from York Region's housing providers and the other Service Managers indicates that supportive housing tenants, regardless of their age, have been successful and integrate well into the culture of seniors' buildings.

4.2 Definition of Modified Unit

The SHRA defines a modified unit as a unit that has been modified to be accessible to an individual with a physical disability so as to allow the individual to live independently. As well, a household must require the modifications in order to be eligible for that unit. The type of modifications varies widely amongst these units and as a result, these units do not meet the needs of every physical disability.

Under the *Accessibility of Ontarians with Disabilities Act, 2005* (AODA) the Ministry of Community and Social Services (MCSS) is in the process of developing accessibility standards concerning goods, services, accommodation, facilities, buildings and employment.

These standards will be developed by standards development committees. MCSS is in the process of recruiting for the Built Environment Standards Committee. It will be important for staff to monitor standards created by this Committee as they may potentially impact the eligibility requirements of modified units and accessibility standards for new social housing units.

4.3 Other Ontario Human Rights Code Considerations

The establishment of a local rule for people with disabilities would be considered a special program under the *Ontario Human Rights Code* (OHRC).

Special programs are programs which institute measures that respond to particular needs for people who experience discrimination or are disadvantaged.

No special or advance approval is required by the Ontario Human Rights Commission for York Region, as a service provider, to initiate a special program.

4.4 Considerations for a Local Rule

Given the requirements of the OHRC, it is recommended that two local rules be developed that would allow people with disabilities to be eligible for modified units. This would help address the shortage of one-bedroom modified non-seniors' units.

1. Create a local rule that will allow a household requiring a modified one-bedroom unit to be eligible for housing in a seniors' building subject to the following criteria:
 - Household members must be at least 45 years of age.
 - There are no one-bedroom modified units in non-seniors' buildings available in the municipality in which they wish to reside.
 - The person receives services from family or community organizations in the municipality in which they wish to reside.
2. Modify the current occupancy standards to allow a household requiring a modified unit to be eligible for a larger unit subject to the following criteria:
 - Household members are under the age of 45.
 - There are no modified units for which they would be eligible under the current occupancy standards in non-seniors' buildings available in the municipality in which they wish to reside.
 - The person receives support from family or community organizations in the municipality in which they wish to reside.

4.5 Impact on Waiting List

As of January 4, 2007, there are 68 households on the modified unit waitlist. The waiting time for a household to be placed in a modified unit was approximately one and half years in 2005 and two years in 2006. This is a relatively short waiting period compared to the chronological waitlist for a non-modified unit where a household could potentially wait up to ten years.

Based on past inquiries, the impact of the proposed local rules will be minimal. The number of applicants meeting the eligibility criteria would be small. It is anticipated that only a handful of households per year may be eligible. Nevertheless, while the number may be small the positive impact on eligible households will be significant

5. FINANCIAL IMPLICATIONS

The number of modified units would not be increased based on the recommendations of this report, so there will be no impact on the budget.

6. LOCAL MUNICIPAL IMPACT

The proposed local rule and modification of the occupancy standards would allow people with disabilities to become eligible for a modified unit in the municipality where they receive support and may improve access to services for people with disabilities in these municipalities.

7. CONCLUSION

The proposed local rules will be a positive step toward improving access for people with disabilities to modified units and supports the Region's goal to "improve opportunities for people with disabilities through the identification, prevention and removal of physical and other barriers that may impede the opportunities for people with disabilities to fully participate in society." (Removing Barriers: York Region's Accessibility Plan 2006)

At this time, the proposed changes are focussed on people with physical disabilities. Staff will monitor the development of the building standards that will be set by the Built Environment Standards Committee under the AODA. Recommendations regarding local rules will be brought forward as required under these standards.

For more information on this report contact Sylvia Patterson, Director, Housing Services Branch in the Community Services and Housing Department.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the March 21, 2007 Committee meeting.)