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REVIEW OF THE REGULATIONS MADE UNDER THE *SOCIAL HOUSING REFORM ACT, 2000*

The Community Services and Housing Committee recommends the adoption of the recommendations contained in the following report, April 1, 2004, from the Commissioner of Community Services and Housing:

1. RECOMMENDATIONS

It is recommended that:

1. Council endorse the recommended changes to the *Social Housing Reform Act, 2000* and related regulations (*see Attachment 1*).
2. The Province be requested to implement the changes as per *Attachment 1*.
3. This report be circulated to the Association of Municipalities of Ontario (AMO), the Ontario Regions Social Housing Group (ORSHG), and the Ontario Municipal Social Services Association (OMSSA), in full.

2. PURPOSE

The purpose of this report is to provide Committee and Council with an overview of the provincial review of Regulations made under the *Social Housing Reform Act, 2000* (SHRA) and to request council endorsement of regulatory improvements noted in *Attachment 1* of this report.

3. BACKGROUND

The Province transferred administrative responsibility for social housing to the Region in November 2001. At the same time, the Province entrenched program reform in the SHRA. Many of the SHRA rules are procedurally cumbersome and in some cases excessively punitive for Rent-Geared-to-Income (RGI) applicants and recipients.

The Province is in the process of reviewing the regulations made under the SHRA with a view to administrative improvements. Service managers are invited to submit comments and recommendations for regulatory changes.

4. ANALYSIS AND OPTIONS

4.1 Provincial Regulation Review

In June 2002, the Province asked service managers to identify areas for improvement in the SHRA regulations. Specifically, the Province expressed interest in changes that would streamline administrative processes. Written comments were required by October 15, 2002.

In February 2003, the Province released a summary of the input received from service managers and invited further comment. In recent months, service manager staff have worked with Ministry staff to develop recommendations in a number of areas of Provincial interest.

The Province expects to publish a report summarizing the findings of the regulatory review process in the spring of 2004. Service managers will have an opportunity to comment on proposed changes before new regulations are enacted.

4.2 Service Manager Regulation Consultation Process

Regional staff participated in working groups established by the Province to develop recommendations with respect to key program elements such as the definition of income. However, the mandates of the Provincial working groups were narrowly focused and did not address a number of significant issues. As such, the Ontario Regions Social Housing Group (ORSHG), of which York Region is a founding member, established a regulations working group of its own.

ORSHG is an advisory body of senior housing staff created by the Regional & Single Tier CAOs of Ontario and currently chaired by The Regional Municipality of York. Recognizing that service managers and housing providers had common concerns, ORSHG invited representatives from the co-operative and non-profit housing sector associations to participate in a joint regulations committee.

The regulations committee initially developed a document containing a number of relatively high level recommendations for regulatory changes. The recommendations were submitted to the Province by the Regional CAOs in the fall of 2002. A summary of these recommendations is attached to this report (*see Attachment 1*).

4.3 Recommended Technical Regulatory Changes

As service managers and housing providers gained experience working with the legislation, additional issues were identified. The regulations committee reconvened and developed a list of predominantly technical regulatory changes that should be implemented as soon as possible. This list has been circulated to all Ontario Regions service managers but due to its routine nature has not been included in this report.

The technical changes identified typically relate to instances where clarification is required, criteria must be updated or service manager flexibility should be expanded. The language of some sections of the Regulations is conducive to conflicting interpretations.

The Regulations would be significantly improved by amendments to clearly indicate their intended application. A number of the eligibility and income assessment criteria listed in the Regulations should also be revised to achieve consistency with program standards. In accordance with the general principle of “say for pay”, other technical changes are intended to enhance areas of service manager authority, allowing municipalities the flexibility required to effectively deliver housing programs.

Technical issues with the prescribed special priority program have also been identified. The Regulations give priority to applicants seeking rent-geared-to-income housing as a means to escape domestic violence. However, the Regulations governing this program require improvements to better enable service managers to address the needs of this very high risk client group while ensuring the integrity of the program.

5. FINANCIAL IMPLICATIONS

The regulation review process has no financial implications.

6. LOCAL MUNICIPAL IMPACT

There is no local municipal impact.

7. CONCLUSION

Service managers have been given a very prescriptive program that is significantly different from the program as administered by the Province. Many of the new requirements need improvement if the program is to operate effectively. The Provincial commitment to review the regulations is laudable. However, the Province should be encouraged to expedite the adoption of recommended improvements.

The Senior Management Group has reviewed this report.

(A copy of the attachment referred to in the foregoing has been forwarded to each Member of Council with the April 14, 2004 Community Services and Housing Committee agenda and a copy thereof is on file in the Office of the Regional Clerk.)