

Internal Overhoused Transfer Policy

Policy Number

Policy Name

Corporate Policies

Tenant Services

Sub-Category

Department

Nolan Goyette
Chief Tenant Services Officer

December 9, 2024

Content Owner

Effective Date

Table of Contents

1.0 Authority	2
2.0 Purpose	2
3.0 Scope	2
4.0 Definitions	2
5.0 Responsibilities	4
6.0 Policy	4
6.1 Overhoused Policy Principles	4
6.2 Overhoused Notification to Households	4
6.3 Internal Overhoused Transfer Period	5
6.4 CHR Overhoused Transfer Period	5
6.5 Refusal of Offers	Error! Bookmark not defined.
7.0 Records	6
8.0 Review Date	6
9.0 Applicable References	6
Appendices	7

1.0 Authority

This policy is created under the authority of policy 2.6.1 Board Delegation of Authority.

2.0 Purpose

The purpose of this policy is to establish a consistent, comprehensive approach to overhoused households within the CHC portfolio in compliance with the Local Rules and applicable legislation.

3.0 Scope

This policy only applies to Rent-Geared-to-Income Tenants residing in Housing Units owned by CHC which are overhoused.

This policy does not apply to:

- Non-RGI tenants such as non-profit seniors, non-profit families unless under extenuating circumstances under the approval of the Chief, Tenant Services or as delegated
- Internal Transfers – addressed in Policy ### Internal Transfer Policy
- Displaced tenants – addressed in Policy ### Tenant Displacement Policy
- CHC-initiated internal transfers under the approval of the Chief, Tenant Services, or as delegated

4.0 Definitions

- Annual Income Review – annual verification of income of all tenants and subsidy recipients to confirm continued eligibility and calculate rent or subsidy amount
- CEO – means the Chief Executive Officer of CHC.
- CHC – Windsor Essex Community Housing Corporation
- CHR – Means the Central Housing Registry also referred to as the Centralized Waiting List
- CTSO - means the Chief Tenant Services Officer of CHC

- Housing Asset - means the same as the term housing project as defined in the Shareholders Declaration as all or part of the residential accommodation located in one or more buildings used in whole or in part for residential accommodation, including vacant land, if any, owned by CHC.
- Housing Portfolio - means all Housing Assets operated by CHC.
- Housing Unit – means a unit of housing owned or operated by CHC including a rent supplement unit.
- Local Rules – means the Local Rules Windsor Essex. As time of publication, the most recent are dated July 1, 2023
- OAC – Operations Administrative Clerk
- Overhoused Household - means a household in receipt of rent-geared-to income assistance and occupies a unit that is larger than the largest size permissible under the Service Manager’s occupancy standards as set out in Section 7 of the Local Rules.
- Overhoused Notice - is a written communication from a housing provider to a household notifying the household that the housing provider has determined the household is an overhoused household. This notice could be served via email or mail.
- Overhoused Transfer List - is the list maintained by the Central Housing Registry - Windsor Essex County that identifies all overhoused households deemed eligible for a transfer to a unit that is of a size permissible under the service manager’s occupancy standards as set out in Section 9 - Windsor Essex Occupancy Standards
- Service Manager – means the designated Service Manager under the Housing Services Act, 2011, S.O. 2011 c. 6, currently the Corporation of the City of Windsor.
- Tenant – means a household, including an individual residing in a CHC Housing Unit and may be one of the following types:
 - Rent Geared to Income Tenant – means a Tenant resides in a Housing Unit for which they pay rent geared to income.
 - Senior Non-Profit Tenant – means a Tenant over the age of 55 who resides in a Housing Unit dedicated to seniors and who may or may not also be a rent geared to income Tenant.
 - Non-Profit Housing Tenant – means a Tenant who resides in CHC non-profit housing and who may or may not also be a rent geared to income Tenant.
 - Rent Supplement Tenant – means a Tenant who resides in a rent supplement unit and is a rent geared to income Tenant.
 - Market Rent Tenant – means a Tenant who resides in a Housing Unit for which they pay market rent.
 - Special Needs Tenant – means a Tenant with a disability that requires a Housing Unit with appropriate modifications and who may or may not be a Rent Geared to Income Tenant.

5.0 Responsibilities

- CTSO- is responsible for ensuring compliance with this policy.
- Director, Performance & Compliance - is responsible for the efficient and effective execution of this policy including:
 - Recommending updates to the policy to CEO for approval;
 - Making updates to related templates, procedures and other documents as may be required from time to time;
 - Providing necessary communications and training to all persons responsible for complying with this policy.

6.0 Policy

6.1 Overhoused Policy Principles

- a) The CHC Overhoused Policy is derived from the Local Rules, Section 7 – Overhoused Rule.
- b) It is assumed that CHC has right-sized units in its portfolio, which may or may not be occupied at the time of identification of an overhoused household. Therefore, that portion of Section 7 – Overhoused Rule, paragraph 6 is outlined below as applicable.
- c) There are three stages to being overhoused:
 - i. Notification
 - ii. Within the first year of being overhoused – Internal Overhoused Transfer period
 - iii. Beyond the first year of being overhoused – CHR Overhoused Transfer period
- d) Overhoused Households currently on either the internal or CHR Overhoused Transfer lists with less selections than the stipulated amount noted in this policy, will be required to update their respective internal overhoused and/or CHR Overhoused Transfer list selections to meet the minimum requirements at their next Annual Income Review or sooner.
- e) At time of transfer, a unit inspection may be conducted. The household will be required to pay for repairs per policy 3.2.1 – Tenancy Management.

6.2 Notification to Overhoused Households

- a) When any CHC employee becomes aware that a household is or may be overhoused, the employee must notify the appropriate Manager, Tenant Services, the OAC and the Manager of Property Administration. The Manager, Tenant Services will take reasonable steps to confirm the accuracy of the overhoused status.

- b) Upon determination that a household is overhoused, CHC will:
 - i. Issue an Overhoused Notice to the household within 30 calendar days from the date of determination and;
 - ii. Provide a copy of the Overhoused Notice to the Central Housing Registry -Windsor Essex County within 3 business days from the date of the overhoused notice.
- c) Within 30 calendar days from the date of the Overhoused Notice,
 - i. The Overhoused Household will: Submit an Internal Overhoused Application to CHC to be transferred to a unit that is permissible under the service manager's occupancy standards and the applicable mandates of the CHC, and;
 - ii. CHC will: add the household to its internal Overhoused transfer list. The following section titled Internal Overhoused Transfer Period will apply.

6.3 Internal Overhoused Transfer Period

- a) Per Section 6.2 c) i above, an Internal Overhoused Transfer Request Form is to be completed and submitted to the OAC within 30 calendar days of Overhoused Notice.
- b) The Internal Overhoused Transfer Request Form must include a minimum of five (5) building selections within CHC's RGI Housing Portfolio that are appropriate under the Occupancy Standards. This minimum of five (5) building selections must be maintained at all times while on the list. In extenuating circumstances, CHC may accept less than the minimum of five (5) building selections at its discretion and may also offer recommendations of additional building selections.
- c) Should a tenant decline one (1) offer for an overhoused transfer within the first year of being identified as overhoused, the household will cease to be eligible for Rent-Geared-to-Income assistance unless an Overhoused application is submitted to the CHR.
- d) If an application has been submitted to CHR to be placed on the Overhoused Transfer List within 15 days of refusal, section 6.4 CHR Overhoused Transfer Period will apply.
- e) If an application has not been submitted within 15 days of refusal, the household will cease to be eligible for RGI assistance. The household shall pay rent for the unit it occupies at the rate at which rent is payable for the unit by a household not receiving rent-geared-to-income assistance. Such change in rent will become effective pursuant to the notice period provisions for rent changes under the Housing Services Act, its Regulations and these rules as may be amended or replaced from time to time.

6.4 CHR Overhoused Transfer Period

- a) If no internal overhoused transfer offer has been made within the first year, the overhoused household shall, within one (1) year from the date of the overhoused notice make an application to be placed on the overhoused transfer list to a unit that is permissible under the service manager's occupancy standards as set out in Section 9 - Windsor Essex Occupancy Standards.

- b) The household shall make a minimum of 5 provider location choices to units of a size permissible under the service manager's occupancy standards and the applicable mandates of the respective housing providers.
- c) Despite Section 7– Overhoused Rule, paragraph 6 subsection (b) (iii) of the Local Rules, the Central Housing Registry-Windsor Essex County may approve a lesser number of provider location choices if the Central Housing Registry-Windsor-Essex County is satisfied that there are extenuating, adverse or exceptional circumstances.
- d) The Central Housing Registry-Windsor Essex County shall, within three (3) business days from the date the household made the application to be placed on the overhoused transfer list, verify to the housing provider that the household has made application to the overhoused transfer list.
- e) Should a tenant decline or fail to respond to an offer within the prescribed period to one (1) offer for an overhoused transfer from the CHR Overhoused Transfer list, the household will cease to be eligible for Rent-Geared-to-Income assistance. The household shall pay rent for the unit it occupies at the rate at which rent is payable for the unit by a household not receiving rent-geared-to-income assistance. Such change in rent will become effective pursuant to the notice period provisions for rent changes under the Housing Services Act, its Regulations and these rules as may be amended or replaced from time to time.

7.0 Records

All records created under this policy must be retained in accordance with policy 5.7.16 Records Management.

8.0 Review Date

This policy must be reviewed no later than Not Set.

9.0 Applicable References

Local Rules, section 7

Housing Services Act, 2011, s. 47

Ontario Regulation 367/11, s. 47

Appendices