

Housing Charge Assistance Bylaw # 12

The co-op receives funds from the federal government to provide housing charge assistance to co-op members- residents following the terms of the Section 95 (formerly Section 56.1) Agreement signed by the co-operative and Canada Mortgage and Housing Corporation.

This by-law sets down guidelines about:

- How the co-op gives out assistance

The rights and responsibilities of members receiving assistance

1. Who is eligible to receive Housing Charge Assistance?
 - 1.1 If the regular housing charge for a unit of appropriate size is 30% or more of a household's gross monthly income, then the household is eligible to receive housing charge assistance.
 - 1.2 Members who are voluntarily underemployed, i.e. who are working less than 35 hours per week, are not eligible for subsidy
 - 1.3 Non-members are not eligible for subsidy
 - 1.4 Members who receive short-term emergency assistance may be asked to repay all or a portion of the assistance they receive, once their circumstances improve.
 - 1.5 In a two-family household or in the case of long-term guests residing in the member unit, their income will be counted when calculating housing charges. If these residents do not have any declared income, the member will be charged the minimum housing charge in addition to their housing charge as defined in Article 6 of this by-law.
 - 1.6 ***" Members who pay market rent will not be eligible to apply for assistance unless their income changes for reasons other than by choice."***
2. Occupancy Standards
 - 2.1 The maximum number of persons who can live in each unit type is:

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one bedroom 2 persons

two bedroom 4 persons

three bedroom 6 persons

four bedroom 8 persons

These are the Maximum Occupancy Standards.

The minimum number of persons who can live in each unit type is:

one bedroom 1 persons

two bedroom 2 persons

three bedroom 3 persons

four bedroom 4 persons

These are the Minimum Occupancy Standards.

- 2.2 If a household receiving assistance does not meet these standards, the board will follow the relocation procedure (see the co-op's Occupancy Bylaw) to a unit of appropriate size unless the Board determines not to do so because it feels the situation is temporary, or for other reasons it should be permitted to continue.
- 2.3 If the member's household does not meet these standards, the board will normally require the household to move to a unit of the proper size. If the co-op does not have an existing unit of the proper size, the board will put the member at the top of the internal waiting list for that type of unit. The member must accept the third unit offered. If the household declines to move into the third unit offered, the housing charge assistance will be withdrawn at the end of the month.
- 2.4 If the member's household does not meet the occupancy standards and wishes to remain in their unit, the member will be charged an overhousing surcharge added to their calculated housing charge. In this instance, the member will be charged the difference in market rent between the unit size they are eligible for and the unit size they are residing in.

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3. Application and Approvals

- 3.1 Households applying for assistance must complete the co-op's housing charge assistance by-law application form and supply the required proof of income and assets.
- 3.2 The co-ordinator, other employee or committee designated by the board will:
 - Verify that the households applying for assistance qualify for assistance
 - Administer the waiting list
 - Calculate the amount required for each applicant
 - Make recommendations on approvals to the board
 - Give all necessary notices
- 3.3 The Board gives final approval to all applications for assistance.

4. How is Housing Charge Assistance Given

Assistance shall be given in the following order:

- a) normally, on a first come, first served basis
- b) only if sufficient funds are available in the subsidy pool

5. Appeals

- 5.1 If a member is denied assistance or disputes the amount of assistance granted, they may appeal the decision to the board of directors, in writing, within 10 days of getting notice of the decision.

The board must give the member at least ten (10) days' written notice of the board's meeting to consider the appeal. However, the member can agree to a short notice period.

The member has the right to:

 - Appear and speak at the meeting, and
 - Ask a representative to attend and speak

The decision of the board is final and there is no further right of appeal.
- 5.2 The co-op may refer any question about assistance to:
 - Its lawyer

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- Its accountant
 - CMHC
 - A co-op sector organization
6. Amount of Assistance
- 6.1 The amount of assistance will be:
- 30% or more of the family unit and their long-term guest's gross adjusted monthly income; or
 - the shelter component or 30% of the total of the cheque, whichever is greater, if the member receives Ontario Works, or Ontario Disability Support Program payments.
- 6.2 The minimum assisted housing charges will be \$100.00 per family unit, is limited to 4 months and will be reviewed monthly.
- 6.3 A household may be made up of a combination of family units. In such case, both family units will be charged using the procedure in 6.1 above.
- 6.4 The minimum assistance per month is \$50.00.
7. Internal Waiting List for Assistance
- 7.1 A waiting list will be created consisting of members who meet all the requirements for assistance.
- 7.2 Priority on the waiting list will be made in accordance with section 2.1 and section 4.
8. Annual Verification of Income and Household Composition
- 8.1 Members receiving housing charge assistance shall annually provide the co-op with a declaration of:
- Gross income and assets in a form designated by the board on a date specified by the board
 - Household size and family composition on a date specified by the board.
 - Verification of assets and investments
- 8.2 Members receiving housing charge assistance will receive 60 days notice of increase of housing charges.

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9. Mid-Year Changes in Income

- 9.1 All mid-year changes in gross household income of more than \$100.00 per month must be reported to the co-op within 14 days. The board shall review this amount every two years.
- 9.2 Member receiving housing charge assistance will receive 60 days notice of increase of housing charges. If a household's mid-year increase takes place mid-month, the month in which the mid-year increase occurred will not be counted as part of the 60-day notice.
- 9.3 Households whose income decreases between annual income verification dates by more than \$100 have the option of reporting the decrease so that the level of their assistance can be adjusted upwards, providing that sufficient funds in the subsidy pool are available. The board shall review this amount every two years. The adjustment shall take place on the first of the month after the change is reported.

10. Termination

- 10.1 Housing Charge Assistance may be terminated for any or all of the following reasons:
 - An increase in income that disqualifies the household according to the co-op's income eligibility guidelines;
 - Failure to report increases in household income within 14 days of any such increase;
 - Willful falsification of the housing charge assistance application form or the income or asset verification;
 - Failure to abide by the Housing Charge Assistance Bylaw.

11. Sub-Letting

- 11.1 Members receiving housing charge assistance may sublet their unit following the co-op's sub-let procedures. Sub-letters are not eligible to receive housing charge assistance.

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- 11.2 Members receiving housing charge assistance who sublet their units are eligible to apply for housing charge assistance on their return.

12. Emergency Assistance

- 12.1 It is the intention of the Co-operative to maintain a contingency fund of \$5,000.00 from the subsidy pool to assist those members who suffer a sudden or interruption of income and who otherwise meet the subsidy criteria.
- 12.2 Members who receive short-term emergency assistance may be asked to repay all or a portion of the assistance they receive, once their circumstances improve.

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Appendix A: Definition of Income

For the purposes of this agreement "Income" shall refer to the aggregate gross income, in whatever form received of the family, or of an individual where applicable, EXCLUDING:

1. (i) Exclusions of all earnings of dependent children in full time attendance at recognized institutions of learning up to and including grade 12 or equivalent; and

 (ii) Exclusion of all tuition fees and allowable expense for books and supplies (for other than family head or spouse) may be deducted from the earnings of the student incurring these expenses.
2. Living out or traveling allowances of a family head.
3. Earnings in excess of \$75.00, applies to students who are living at home during the summer months only on the basis that the student is saving to pay room and board elsewhere during the academic year. Live-in attendant of a disabled person.
4. Capital gains, such as insurance settlement, inheritance, disability awards, sale of effect. The co-op may set the minimum housing charge, for persons holding such assets, equal to the Shelter Allowance component for appropriate family size.
5. Child tax credit.

Social Assistance Recipients

Occupants receiving welfare assistance or family benefits shall pay the shelter component of the welfare or family benefit payment or the amount required by application of the total payment to the graduated occupancy charge scale, whichever is greater.

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