

Appendix B-2

Terms of the Member's Housing Charge Subsidy

MARIPOSA CO-OPERATIVE HOMES INC.

Unit: _____

Rules for geared-to-income assistance

1. This document states rules for households paying a geared-to-income housing charge.
2. These rules are required by the *Social Housing Reform Act* and Regulations passed by the Ontario Government, and Local Rules set by the municipal Service Manager. These are called Government Requirements.
3. This document does not state all the rules that apply. Government Requirements and the Co-op by-laws have many other rules for households to receive geared-to-income assistance.
4. Households receiving geared-to-income assistance are responsible for finding out about all the rules that apply to them. This includes any changes in the rules.
5. The Co-op or the Service Manager can give people an information package that may answer any questions about the rules. Members should ask the Co-op or Service Manager if they have any other questions.
6. The rules in this document could be changed if Government Requirements or the Co-op's by-laws are changed. The new rules will govern even if there is no change in this document.
7. In case of conflict, Government Requirements will take priority over this document.

Basic agreement

8. The household and the Co-op agree to comply with the rules in Government Requirements and the Co-op by-laws. The household and the Co-op agree to comply with all decisions duly made under Government Requirements and the Co-op by-laws.
9. "Household" in this document means all members and all non-member occupants of the unit. This includes:
 - anyone who is a member of the household 16 years of age or older, and
 - anyone whose income is considered in setting the amount of a geared-to-income housing charge, such as long-term guests.

This may include people who are not considered part of a household under other parts of the Co-op's by-laws.

10. Each person who is part of the household will be fully responsible for all obligations of the household under this document and the Co-op's Occupancy Agreement and by-laws. By signing this document each person agrees to perform those obligations.
11. This document forms an agreement between the Co-op and each member and non-member occupant. Each non-member occupant who signs this document agrees to comply with the applicable parts of the Co-op's Occupancy Agreement and by-laws and the Co-op's standard Long-term Guest Agreement.

Amount of geared-to-income assistance

12. The housing charges payable by the household are stated in Appendix A to the Occupancy Agreement. These charges apply at the time it was signed.
13. A change in the household's financial circumstances could affect their geared-to-income housing charge in the following ways:

- The amount of a geared-to-income housing charge may go up or down.
- The household may receive no geared-to-income assistance, but remain eligible for 12 months. This could happen if the household's income increases so that no assistance is payable under the geared-to-income formula.
- The household may lose eligibility for geared-to-income assistance if their income or assets are above limits set by the Service Manager.

Decisions about these things will be made by the Service Manager, or by the Co-op if responsibility has been delegated to it.

14. Overpayments of assistance must be repaid to the Co-op. The geared-to-income housing charge can be increased or the household can be required to repay the entire amount. These decisions will be made by the Service Manager, or by the Co-op if responsibility has been delegated to it.
15. If it is determined that the household did not receive all the assistance it was entitled to, the household will be credited with the underpayment of assistance. The credit will be applied to later housing charge payments as they fall due.
16. Under Government Requirements households can get a notice telling them to pursue certain types of income. The household has to apply for and use reasonable efforts to get the income. If the household does not comply with the notice, it is no longer eligible for assistance. The types of income include:
 - Ontario Works assistance
 - child or spousal support under applicable laws
 - employment insurance
 - government pension benefits for persons 65 or older
 - support or maintenance under an immigration undertaking.

The exact types of income are stated in the Regulations.

Occupancy of unit

17. No one may occupy the unit except people who were members of the household at the time the Occupancy Agreement was signed and any additional people authorized by the Co-op, as stated in section 7 (Occupancy by Members) of the Occupancy By-law.
18. The household must immediately inform the Co-op in writing of any persons who cease to occupy the unit or start to occupy the unit after the Occupancy Agreement was signed. This does not include casual guests, if the guest's income does not have to be included in calculating geared-to-income assistance.
19. The household may no longer be eligible for assistance if the household has not occupied a unit in the Co-op for longer than the time set by the Service Manager, if any. This will not be less than 60 days. This applies whether or not the absence is permitted under the Co-op's by-laws.
20. Households that are over housed will have to move or they will no longer be eligible for assistance. Rules relating to when the household has to move are in Government Requirements and the Co-op's by-laws. Overhousing will be determined according to occupancy standards under Government Requirements. The Co-op may have occupancy standards for underhousing that could apply.
Occupancy standards do not apply to special needs households.
21. The household may not assign their Occupancy Agreement or the right to occupy the unit. The household may not allow anyone to occupy their unit as a tenant or on any other basis.

Giving information

22. Government Requirements require reviews by the Service Manager for each household receiving geared-to-income assistance. These reviews must be done at least once a year and can be more often. These items have to be reviewed:
 - continuing eligibility for geared-to-income assistance
 - amount of geared-to-income assistance for which the household is eligible
 - size of unit for which the household is eligible.

23. The household must:
 - co-operate in the review
 - provide all required information both with respect to members and non-member occupants
 - do this within the time limits required.
24. The Co-op may be doing some or all of these reviews on behalf of the Service Manager.
25. Government Requirements require prompt updating of information. Between reviews, it is the household's responsibility to promptly report in writing to the Service Manager, or to the Co-op if responsibility has been delegated to it:
 - any change in income
 - any change in assets
 - any change in household composition
 - any change in immigration status.
26. These changes must be reported no matter how small the change is unless the Service Manager has made a different Local Rule.
27. These reports must be made within the time set by Government Requirements. The household must make these reports even if the paperwork relating to the change has not been received. The household must use any forms that are set by the Service Manager or Co-op.
28. The household agrees that the Co-op can receive, through its employees or agents, credit information from any credit agency or other source. The member must have all persons in the member's household sign an authorization for a credit check, if requested by the Co-op.

29. Personal information about the household may be shared with the Service Manager and other bodies as stated in Government Requirements and the Co-op's by-laws or as stated in other laws. Except for this, the Co-op must keep all personal information confidential.

Losing assistance

30. Households can lose their geared-to-income assistance if they break any of the rules that apply – whether or not the rules are stated in this document. In addition:

- They may have to repay amounts that should have been paid by them, either immediately or over time.
- To get geared-to-income assistance again:
 - they will have to go on the Service Managers' centralized waiting list
 - they will have to pay any arrears or sign a repayment agreement. The Service Manager or housing provider has to be satisfied that they will repay the arrears
 - they will have to wait two years after subsidy has been ended if there has been a conviction relating to geared-to-income assistance or a decision that there was misrepresentation by a court or the Rental Housing Tribunal. Local Rules could extend this time period.

31. Households can also lose their geared-to-income assistance without breaking any rules. This can happen for the following reasons:

- The household's income increases so that no assistance is payable under the geared-to-income formula. The household will remain eligible for 12 months in case their circumstances change.
- The household's income or assets increase above a limit set by the Service Manager. The household will no longer be eligible.

- An over housed household does not move after being offered the number of units stated in Government Requirements. The household will no longer be eligible.

Opportunity to Comment

32. Before certain decisions are made that are negative to a household, members of the household have the opportunity to make written comments on any significant information. These decisions are listed in section 34. The household is entitled to receive notice of the information. A household does not have an opportunity to comment on information provided by a member of the household within 30 days before the decision is made.

Internal Review

33. If any member of a household disagrees with certain decisions, they are entitled to an internal review of the decision. See section 34 for the types of decision. The household is entitled to receive notice of the decision.

Members' rights on decisions

34. The household has a right to comment and can request an internal review of:
- a decision that the household is not eligible for geared-to-income assistance
 - a decision about the amount of a geared-to-income housing charge
 - a decision about a request for deferral of a geared-to-income housing charge
 - a decision about the type and size of unit for which the household is eligible.
35. These decisions are made by the Service Manager, or by the Co-op if responsibility has been delegated to it. Even if responsibility for the decision has been delegated to the Co-op, the Service Manager may be responsible for the internal review.

36. Procedures, requirements and other rules about making comments and about internal reviews are stated in Government Requirements and the Co-op by-laws. See section 5 of the *Social Housing Reform Act By-law*.
37. Members need to act within the required time limits or they lose their opportunity to comment or their right to an internal review. Members should ask the Co-op or Service Manager if they do not know who performs the internal review or if they have any other questions.

By signing this document, the undersigned agrees to observe and comply with the *Social Housing Reform Act*, the Regulations, Local Rules, the Co-op's by-laws, the Co-op's Occupancy Agreement and this document.

Signatures of **Members**:

	Print Name	Signature	Date
1.			
2.			
3.			
4.			

Signatures of **Non-Member Occupants** (16 years and older) if household pays a geared-to-income housing charge:

	Print Name	Signature	Date
1.			
2.			
3.			
4.			