



CITY OF HAMILTON
HEALTHY AND SAFE COMMUNITIES DEPARTMENT
Housing Services Division

TO:	Chair and Members Emergency and Community Services Committee
COMMITTEE DATE:	December 9, 2021
SUBJECT/REPORT NO:	Agreements with Community Housing Providers to use Access to Housing (HSC21041) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Brian Kreps (905) 546-2424 Ext. 1782
SUBMITTED BY:	Edward John Director, Housing Services Division Healthy and Safe Communities Department
SIGNATURE:	

RECOMMENDATION(S)

That the City enter into agreements with community housing providers for the purposes of using the Access to Housing Waitlist to offer units not governed by the *Housing Services Act* on such terms and conditions consistent with the terms and conditions described in Appendix “A” to Report HSC21041, with such additions or modifications thereto as the General Manager of Healthy and Safe Communities and the City Solicitor deem acceptable, and that the General Manager of Healthy and Safe Communities or her designate be authorized to execute and administer the agreement in a form satisfactory to the City Solicitor.

EXECUTIVE SUMMARY

Pursuant to the *Housing Services Act, 2011* (“HSA”) the City is responsible for administering a coordinated access system through which Rent-Geared-to-Income (RGI) social housing units (“RGI Units”) must be offered to persons on the City’s Access to Housing Waitlist (the “ATH Waitlist”).

Staff recommend that Council authorize entering into agreements with community housing providers to offer non-RGI units to households on the ATH Waitlist. While

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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these units are not RGI, they are more affordable than those offered in the private market.

Indwell Community Homes has asked to enter into such an agreement. This would allow them to reduce administrative costs and focus resources directly on the tenants.

This arrangement offers a one-stop shop for potential applicants who otherwise would need to apply to two separate lists. It would also offer applicants access to a wider range of options.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The HSA requires that Service Managers establish coordinated access systems that require households on the ATH Waitlist to be offered RGI Units in accordance with the Regulations under the HSA. The HSA does not explicitly exclude offering other forms of housing assistance through the coordinated access system but does not permit a household to be removed from the ATH Waitlist when offered other forms of housing assistance unless the household requests to be removed. The HSA further requires that the City's ATH Waitlist Rules ("Rules") include provision for a request for removal by a household.

Recent amendments to the HSA will permit other forms of assistance to be offered but the City cannot rely on the amendments because they are not yet in force and the accompanying regulations have not been drafted. The current provisions of the HSA pursuant to the natural person powers in section 9 of the *Municipal Act, 2001* and the broad authority provided to single tier municipalities in section 10 of the *Municipal Act, 2001* provide the City with authority to enter into agreements with community housing providers for the purposes of using the Access to Housing Waitlist to offer units not governed by the Housing Services Act.

In addition, the City's policies governing the ATH Waitlist do provide for a household request to be removed from it. The agreements recommended in HSC21041 can proceed without changes to the Rules but if the Rules are not changed the persons/households accepting a non-RGI unit would remain on the ATH Waitlist unless they request that their name be removed. The terms and conditions for the agreements are attached as Appendix "A" to Report

HSC21041 include a condition that any household accepting a non-RGI unit will be asked to request that their name be removed from the ATH Waitlist.

HISTORICAL BACKGROUND

In 2001, responsibility for administering social housing and the centralized access system was downloaded by the province of Ontario to the City of Hamilton and the role of Service Manager for Housing was created.

From 2001 to 2018, the administration of the coordinated access system was contracted to external organizations. Hamilton's system is known as Access to Housing (ATH) which serves as a central point for the application and initial eligibility screening for applicants who wish to be housed in a unit operated by one of Hamilton's social housing providers.

In April 2018, the ATH service was brought in-house to deliver a more comprehensive and integrated service (Report CES14052(d)).

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The *Housing Services Act, 2011* designates the City of Hamilton as the Service Manager for Housing. As part of that role, the City is required to administer a coordinated access system for rent-geared-to-income social housing. Furthermore, all social housing providers are required to offer their vacant units through the centralized waiting list. The authority and legislative context for the recommended agreements is described in the Legal Implications portion of Report HSC21041.

RELEVANT CONSULTATION

While the report seeks authorization to enter into agreements with any Community Housing provider, Indwell is the only one that expressed a desire to integrate its wait list for non-Rent-Geared-to-Income units with Access to Housing. Indwell has been consulted on the terms of the agreement.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The City of Hamilton's Access to Housing (ATH) waitlist currently includes approximately 184 properties with a range of unit sizes. Most of these units are in social housing buildings run by non-profit community housing providers. Some are for rent supplements in market units in social housing buildings or in privately owned rental units.

As of December 31, 2020, there were 6,647 households active on ATH. Of those, 1,089 were currently living in an RGI unit and seeking to move to another RGI unit.

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Indwell is a non-profit community housing provider. While it does offer some RGI units through city-funded Ontario Community Housing Assistance Program (OCHAP) rent supplements, most of its units are not RGI and are currently not offered through ATH. Indwell approached Housing Services about using ATH to offer units. Indwell would use ATH to fill approximately 330 units in Hamilton. Indwell has a wait list of more than 700 households. It is also worth noting that many of Indwell's units would be considered supportive housing.

Indwell found that as their waitlist grew, it took increasing resources to manage. Using the ATH waitlist infrastructure would allow them to focus staff resources on other aspects of supporting tenants. Indwell was also finding that their wait times were increasing and therefore considered it useful for applicants to have access to other housing options.

In 2019, an analysis was done to determine how many tenants on Indwell's list were also on ATH. The analysis determined that less than 30% of applicant's on Indwell's list were also applicants on ATH. It is not known if Indwell's applicants were not aware of the option of applying to ATH, if they were deterred by the wait or if they explicitly wanted a unit through Indwell. If approval is given to enter into the agreement, the ATH list will increase as many households on Indwell's waitlist are not currently on ATH.

It is recommended that the Emergency and Community Services Committee approve the entering into agreements with community housing providers such as Indwell to include their units on the ATH list. The term sheet for the agreement is attached as Appendix "A" to Report HSC21041. It specifies that any RGI units would be offered through the ATH waitlist rules and that all units must comply with certain expectations in terms of participating in the Social Housing Review Panel and complying with its decisions. Any applicant housed in a deeply affordable unit, though not RGI, would be considered "housed" and be removed from the ATH wait list.

Given that most of Indwell's units as considered supportive housing, the offer will not be merely chronological. Any supportive unit will require an assessment and agreement on both parties that the housing and supports offered are desired and appropriate. In cases where there is not mutual agreement, the offer will be marked as a "provider refusal" which will mean that the household will remain active on ATH. An "applicant refusal" would result in the household being removed from the ATH waitlist under the recently introduced one offer policy set by the province.

The primary benefit is being able to offer one-stop shopping for prospective tenants rather than having to apply to and maintain currency on multiple lists which is time consuming and complicated. Given the resources required to administer large lists, it provides a benefit to community housing providers and encourages integration of their units on the waitlist.

One important consideration is that until provincial regulations change, households cannot automatically be removed from the waitlist when they accept an offer of non-RGI housing. A process will be put in place to ask participants to request that their name be removed from the ATH waitlist when they are offered a non-RGI affordable housing unit.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE STRATEGIC PLAN

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report HSC21041: Term Sheet for Agreements with Community Housing Providers for the Purposes of using the Access to Housing Waitlist to offer units not governed by the *Housing Services Act* (HSA)