



CITY OF HAMILTON
HEALTHY AND SAFE COMMUNITIES DEPARTMENT
Housing Services Division

TO:	Chair and Members Emergency and Community Services Committee
COMMITTEE DATE:	February 17, 2022
SUBJECT/REPORT NO:	Provincial Consultation Regarding Regulatory Changes to the Housing Services Act (HSC22010) (City Wide)
WARD(S) AFFECTED:	City Wide
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SUBMITTED BY:	Edward John Director, Housing Services Division Healthy and Safe Communities Department
SIGNATURE:	

RECOMMENDATION

That City of Hamilton's submission to the Province of Ontario's consultation regarding regulatory changes within the *Housing Services Act, 2011*, attached as Appendix "A" to Report HSC22010 be endorsed.

EXECUTIVE SUMMARY

The Ministry of Municipal Affairs and Housing is consulting with the public regarding regulatory changes to the *Housing Services Act, 2011*. The changes are in the service of modernizing and expanding community housing system.

The hallmarks of the current system include an exclusive focus on Rent-Geared-to-Income (RGI) assistance, coordinated access to RGI assistance and a focus on legacy social housing programs built between the 1960's and 1990's. In many regards, this system is now outdated as non-profit projects built since 1997 fall outside of these rules. Similarly, older federal projects are reaching their end of agreement and facing decisions about the future, such as should they continue, sell or redevelop. Selling or redeveloping removes these projects from the existing system.

A response, attached as Appendix "A" to this Report, has been developed to the provincial consultation (proposal 21-MMAH031). The response urges the provincial

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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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government to update the existing system by expanding beyond legacy social housing's focus on RGI assistance. It should expand the types of housing assistance around which the system is organized to focus on lower cost, but still deeply affordable housing assistance that take into account the shelter allowance provided by social assistance programs. This would mean that these forms of assistance should form part of any new service level standards. The response also supports the development of regulations to spell out common expectations for agreements with providers that have reached the end of their operating agreement or new providers whose projects were not funded under legacy social housing programs. It also reminds the province that almost all community housing administration is funded by the municipal tax base and that any changes should not result in increased costs or be accompanied by increased funding.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

On July 22, 2020, the *Protecting Tenants and Strengthening Community Housing Act, 2020* received Royal Assent. It amended the *Housing Services Act, 2011* (the Act) in several fundamental ways.

- Allowing community housing providers to move into a new streamlined part of the Act once they have reached the end of their original obligations. In addition, community housing providers and projects that are not currently in the Act could enter the system under this new framework.
- Broadening the types of housing assistance that could be counted towards a Service Manager's required service levels. The Ministry plans to work in partnership with Service Managers and sector partners to propose a modern, outcomes-based approach to accountability and service level standards in regulation. This would consider how different types of housing assistance could be counted towards new service level requirements.
- Expand the types of assistance offered through the housing access system beyond just rent-geared-to-income assistance and could include other types of housing assistance set out in regulation.

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On December 20, 2021, the Ministry of Municipal Affairs and Housing posted a consultation document regarding proposed changes to O. Reg 367/11 under the Housing Services Act. The deadline for the consultation is February 18, 2022.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The City of Hamilton is designated as the Service Manager (SM) under the *Housing Services Act, 2011*. The Act requires the SM to fund certain social housing providers through prescribed formulas. It further requires that the Service Level Standards for the number of Rent-Geared-to-Income (RGI) units are maintained. The Act also requires that SMs maintain a coordinated access system for RGI assistance.

Performance against the Service Level Standard is reported to the Ministry of Municipal Affairs and Housing annually in a Service Manager Annual Information Return. The Act lays out penalties if a SM does not fulfil their obligations.

RELEVANT CONSULTATION

Ontario Works was consulted in the preparation of the response. They identified that the regulatory changes recommended in the response would not have an adverse effect on the City as social assistance is funded by the province.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

It is important for the City of Hamilton to participate in the consultation process as the proposed regulatory changes could have financial and administrative implications. These implications could include:

- what types of financial assistance must be provided to community housing providers whose operating agreement has ended;
- what types of assistance are included in the new Service Level Standards; and,
- what types of assistance must be provided through an expanded mandate for coordinated access to housing assistance.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 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.

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APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report HSC22010: Response to Consultation Regarding Changes
to O. Reg 367/11