

Northumberland County Community Housing Directives

Housing Services Division

555 Courthouse Road

Cobourg, Ontario K9A 5J6

Subject: Northumberland County Review Panel (County Review)

Directive Number: 2021-02

Effective Date: Upon issuance, October 18, 2023

Intent

To establish and administer a system for appeals and county reviews whereby rent-geared-to-income (RGI) households can request reviews of decisions made by community housing providers in Northumberland County (Local Housing Corporation, nonprofit and co-operative housing providers), under the Housing Services Act, 2011 (HSA).

The intent of this directive is to outline the Northumberland County Review Panel (“Review Panel”) composition, legislative requirements, what decisions may be reviewed, criteria for completing reviews and the timelines for conducting reviews.

Background

A County Review is an independent and critical examination of the reviewable decision and involves a review of the applicant/tenant/member file by a Review Panel which is comprised of at least two members. This will include at least one staff member from Northumberland County Community & Social Services, including at least one management staff. From time-to-time representatives from community housing providers from within Northumberland County may also be called upon. The County Review must have a minimum of two reviewers to proceed with the review.

The Review Panel is an independent body that does not represent the interests of the service manager, housing provider or other decision maker, and will not include people involved in the original decision.

This will allow for a clear and equitable process which is essential for accountability to the applicants or tenants/co-op members served in Northumberland County. The Review Panel must not have participated in making the decision, must have knowledge of the relevant provisions of the HSA, and have not discussed the decision with the person who made the original decision.

The Review Panel does not have the authority to review decisions on an applicant's/tenant's/member's refusal to accept the offer or non-rental charges to a tenant/member which could include chargebacks due to damage, additional charges such as parking, cable, NSF fees, etc.

Procedures

A household may request a review of a decision made by a community housing provider or the service manager under one of the following areas:

- Ineligibility for RGI assistance
- The size and type of unit that a household is eligible for
- The households' priority status on the wait list
- Amount of RGI payable by the household (see Review Decision chart attached)
- Losing eligibility for RGI assistance
- Eligibility for special needs housing

A written request for a review of an appealable decision as described within this directive may be accepted by the community housing provider or Service Manager within **30 calendar days** of the date the notice was provided. (Under exceptional circumstance, the community housing provider/Services Manager may accept an oral request for a review or extend the time for submitting a written request beyond 30 calendar days). The request must include a copy of the notification of the original decision.

The request for the review must be addressed to the housing provider that made the original decision.

The housing provider will review the request and have the opportunity to reconsider their decision. The housing provider will provide their new decision in writing and must notify the household of their right to request a County Review. The benefit of this reconsideration is to avoid unnecessary reviews by the Review Panel.

The standard template language that is to be included in the notice of decision is included in the Appendix to this directive as well as the Request for a County Review form that must be completed.

The reconsideration may be due to:

- the household and the individual who made the original decision are able to reach a resolution
- the household provides additional information that may affect the original decision, or
- the decision was made in error

If the original decision is changed after reconsideration, the housing provider must notify the household of the new decision and the right to request a County Review of the new decision, within **10 business days** after the new decision was made.

If the original decision is upheld after reconsideration, the housing provider must notify the household that the original decision has been upheld, and provide information to the tenant/member on requesting a County Review with the Review Panel.

Should a request for a County Review be made following a review by the housing provider, the tenant/applicant/member can make the request directly to the Review Panel, by submitting a Request for a County Review form. The completed request can be sent to:

Housing Review Panel
555 Courthouse Road
Cobourg, Ontario K9A 5J6

This request must be received within **10 business days** of notice of the internal review decision by the housing provider.

Review Panel

The Review Panel will schedule meetings to review all internal reviews received so as to ensure a decision is made within **10 business days** for Special Priority households and **20 business days** for all other households requesting a review. The meetings will be held at Northumberland County's headquarters at 555 Courthouse Road, Cobourg, ON or in a mutually agreed upon location by the Review Panel.

On occasion, the Review Panel may request that the individual who made the decision and/or the applicant/tenant/member who is appealing the decision attend the meeting in

person or by way of conference call to offer clarification on the decision made or the decision under review.

Notice of a decision and reasons of the Review Panel must be issued in writing within **5 business days** of the decision being made. A copy of this decision will be sent to the applicant/tenant/member as well as the housing provider. The Review Panel will issue a decision letter using the standard template found in the Appendix to this directive.

The Review Panel will operate by majority consensus. In cases, where the Review Panel consists of 2 members, and a consensus is not reached, a third participant will be asked to join the Review Panel.

Written notice of the decision of the Review Panel except for those pertaining to Special Priority Status will be provided to the person who requested the review.

Note: The Review Panel decision regarding a Special Priority tenant/member must not be given to any other member of the household other than the member who requested the review.

An applicant/tenant/member may withdraw a request for a review at any time and must submit this request in writing.

Repealed Rules

This directive replaces Policy 2013-15 Northumberland County Review Panel (Internal Review)

Legislative Authority

Housing Services Act, s.155 – 159

Ontario Regulation 367/11, s. 138

If there are any questions please contact the Service Manager for Northumberland County Housing Services at 905-372-3329.

Review Panel Effective Date of Decision

Original Decision	Review/Appeal Decision	Effective Date
RGI Rent - Increase	Increase by same or different amount	Date in original notice
	Increase by greater amount AND original decision was the result of an admin error	Later of: <ul style="list-style-type: none"> • date in original notice • first day or month after notice of internal review/appeal decision
	Decrease	First day of month <u>prior</u> to date in original notice
RGI Rent - Decrease	Increase	First day of month <u>after</u> date in original notice
	Decrease by same or different amount	Date in original notice
	No change	Date in original notice / no change
RGI Rent - No change	Increase	Annual review – first day of second month following annual review notice of decision Mid-year review – first day of second month following change
	Increase AND original decision was the result of	Later of:

	<p>an admin error</p>	<ul style="list-style-type: none"> • First day of month after notice of internal review/appeal decision • Annual review – first day of second month following annual review notice of decision • Mid-year review – first day of second month following change
	<p>Decrease</p>	<p>Annual review – first day of month following annual review notice of decision</p> <p>Mid-year review- first day of month following change</p>
	<p>No change</p>	<p>Date in original notice/no change</p>

DATE

“Private and Confidential”

Name
Address

Re: Notice – Northumberland County Internal Review Decision

Dear:

On **(date)** you asked us to review a decision to **(insert decision)**.

This letter is to advise you that as a result of the internal review, a decision has been made **(select one of the following and delete the rest)**

- To uphold the original decision to **(insert decision made)**. **Explain what the decision will mean for the household** and will take place on **(date decision will take place)**.
- To revise the original decision. Instead, we have made a decision to **(insert the new decision)**. **(Explain what the decision will mean for the household)** and will take place **(date the revised decision will take effect)**.
- That no change will take place at this time.

The reason for the decision from the review was **(insert an explanation of how the review body came to this decision)**.

(Delete this sentence if not applicable) Enclosed is a copy of your revised rent calculation.

Should you have any questions and wish to discuss the decision, please contact NAME at 905-xxx-xxxx.

Sincerely,

Name

Northumberland County Review Panel

You may ask for an independent review of the decision. The Northumberland County Review Panel (who were not involved in making the original decision) will carry out the review. The decision of the Review Panel is final.

You must complete a "Request for County Review" form and attach any relevant supporting information. Once completed, it can be mailed, or delivered in person to:

Housing Review Panel
Attention: Housing Services Manager
555 Courthouse Road
Cobourg ON K9A 5J6

Or faxed to Northumberland County Housing Services, attention Housing Services Manager at 905-372-6463.

Your request for a review must be received **within 10 business days** of notice of the internal review decision by the housing provider.

If your request for a review is not received within the time limit, the decision from the housing provider will be final.

Request for a County Review

Tenant Information

Tenant Name:

Tenant Address:

Phone Number:

Email Address:

Decision Under Review

Date of Original Decision:

Date of Internal Review Decision by the housing provider:

Details on why you disagree with the decision:

Submission Details

When this form is completed, please ensure you include:

- a copy of the notice of the original decision
- Any other supporting information for the Review Panel

A completed package can be sent to:

Housing Review Panel
Attention: Housing Services Manager
555 Courthouse Road
Cobourg ON K9A 5J6

Or faxed to Northumberland County Housing Services, attention Housing Services Manager at 905-372-6463.

Your request for a review must be received **within 10 business days** of notice of the internal review decision by the housing provider

DATE

“Private and Confidential”

Name
Address

Re: Notice – Northumberland County Review Panel Decision

Dear:

On **(date)** you asked us to review a decision to **(insert decision)**.

This letter is to advise you that as a result of the independent review, a decision has been made **(select one of the following and delete the rest)**

- To uphold the original decision to **(inset decision made)**. **Explain what the decision will mean for the household)** and will take place on **(date decision will take place)**. This decision is final.
- To revise the original decision. Instead, we have made a decision to **(insert the new decision)**. **(Explain what the decision will mean for the household)** and will take place **(date the revised decision will take effect)**. This decision is final.
- That no change will take place at this time.

The reason for the decision from the review was **(insert an explanation of how the review body came to this decision)**.

(Delete this sentence if not applicable) Enclosed is a copy of your revised rent calculation.

Should you have any questions and wish to discuss the decision of the Northumberland County Review Panel please contact NAME at 905-xxx-xxxx.

Sincerely,

Name
Northumberland County Review Panel