

Northumberland County Community Housing Directives

Housing Services Division

555 Courthouse Road

Cobourg, Ontario K9A 5J6

Subject: Status In Canada

Directive Number: 2021-07

Effective Date: Upon issuance, October 18, 2023

Intent

To outline eligibility requirements with respect to status in Canada.

Background

In order to be eligible for rent-geared-to-income (RGI) assistance, all members of the RGI household must be one of the following:

- a Canadian citizen
- a permanent resident or have applied for status as a permanent resident
- a refugee claimant

Additionally, there can be no removal order that has become enforceable under the Immigration and Refugee Protection Act (Canada) (2001) against any member of the household.

Applications for Permanent Residence Status

In some circumstances, a member of the household may not have status in Canada. The RGI tenant or co-op member can still be eligible for RGI assistance if the person is in the process of applying for permanent residency. This may occur if a member of the household is:

- sponsoring a spouse or dependent child from within Canada
- a holder of a temporary resident permit (formerly called a Minister's Permit) who has lived continuously in Canada for at least three to five years.

Applicants for permanent residence status will normally be required to provide a letter from Citizenship and Immigration Canada (CIC) verifying that they have applied for permanent residence status but that a decision has not yet been made.

The housing provider must follow up on the progress of the application for permanent residency until a decision is reached. This can be done at the time of the annual RGI review or more frequently at the discretion of the housing provider.

There is no limit to the length of time that a member of the RGI tenant or co-op member can be pending permanent residence status and still be eligible for RGI assistance.

In cases where one member of the household intends to sponsor another member of the household but has not yet made application to CIC, the RGI tenant or co-op member may continue to be eligible for RGI for up to 12 months pending the application for permanent residency. An extension to this time frame can be given at the discretion of the Service Manager.

Temporary residence permit holders are not eligible for RGI assistance unless they have a current application for permanent residency verified by CIC.

Verification of Canadian Citizenship

Acceptable verification of Canadian Citizenship includes:

- Canadian birth certificate
- Canadian passport
- Canadian citizenship certificate (wallet card)
- Secure Certificate of Indian Status
- Native band records
- Naturalization certificate (issued before January 1, 1947)
- Registration of Birth Abroad certificates (issued between January 1, 1947 and February 14, 1977)

- Certificates of Retention (issued between January 1, 1947, and February 14, 1977)

Verification of Permanent Residency

Acceptable verification of Permanent Residency includes:

- Permanent Resident Card
- Immigrant Visa and Record of Landing issued before June 28, 2002 (Landing papers)
- Confirmation of Permanent Residence (COPR)

Verification of Application for Permanent Residency

Acceptable verification of application for permanent residency includes:

- Written notice from Immigration, Refugees and Citizenship Canada (IRCC) of the application for permanent residency
- Written notice from the Immigration Appeal Division (IAD) of the IRB that it has received an appeal of a removal order and the removal order has been temporarily set aside or stayed
- If the IAD upheld the removal order on appeal or the appeal was denied, written notice from the Federal Court of Canada that the person has applied for leave for judicial review or that the decision is currently under review

Verification of Status as Refugee Claimant

Acceptable verification of a refugee claim for asylum (made from within Canada) includes:

- Written notice from the Immigration and Refugee Board of Canada (IRB) that the refugee claim is under consideration or in pre-removal risk assessment
- Written notice from Immigration, Refugees and Citizenship Canada (IRCC) that the refugee claim is under consideration by the Immigration and Refugee Board of Canada (IRB) or in pre-removal risk assessment

- If the refugee claim was denied by IRB, written notice from the Federal Court of Canada that the person has applied for leave for judicial review or that the decision is currently under review

This does not apply to re-settled refugees (sponsored from outside of Canada for resettlement) who become permanent residents upon entry to Canada.

Repealed Rules

N/A

Legislative Authority

Ontario Regulation 367/11, s. 24, 25

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