



Memorandum

Housing Services
Division

Financial Services

605 Rossland Road East
Whitby, Ontario
L1N 6A3
905-668-7711

To: All Housing Providers

**From: Mary Menzies
Director of Housing Services**

Date: March 30, 2012

**Re: Regional Reviews – 2011 and
Regional Review Panel**

The Regional Review Panel conducts internal reviews of decisions made by Durham Access to Social Housing (DASH) and housing providers regarding rent-gear-to-income (RGI) assistance. These are known as Regional Reviews and are generally conducted at a Regional Review hearing.

RGI applicants and tenants may request internal reviews of decisions regarding:

- ineligibility for RGI assistance
- ineligibility for special needs housing
- the type of accommodation in which the household may be housed
- the category in which an applicant has been placed on the waiting list
- the amount of RGI payable.

The Regional Review Panel received only 15 appeal requests between January 1, 2011 and December 31, 2011, about equal to the number of requests received in 2010. In 2011, the Panel:

- returned one request to the housing provider for review as it pertained to a refusal to offer
- heard six tenant requests pertaining to decisions made by five different social housing providers
- heard six applicant requests pertaining to decisions made by DASH
- received two requests that were withdrawn by the appellant prior to the hearing.

Excluding the review request pertaining to a refusal to offer that was returned to the housing provider for review, the outcomes of the 14 requests Regional Review Panel requests in 2011 are as follows:

TYPE OF DECISION	2011 Requests	Decisions Upheld	Decisions Overturned	Requests Withdrawn	2010 Requests
APPLICANTS SUBTOTAL	6	3	3	0	4
Category on the waiting list – Special Priority	6	3	3	0	
TENANTS – NO ERO INVESTIGATION SUBTOTAL	6	0	4	2	5
The amount of RGI payable	5	0	4	1	
The type of accommodation in which the household may be housed – size of unit	1	0	0	1	
TENANTS – WITH ERO INVESTIGATION SUBTOTAL	2	2	0	0	3
Ineligibility for RGI assistance	2	2	0	0	
TOTAL	14	5	7	2	12

The decisions considered by the Regional Review Panel tended to be very complicated and often involved the use of discretion and/or complex interpretation of the *Social Housing Reform Act* and related regulations. Housing providers and Regional staff were generally well prepared to support these complex decisions, but due to the complexity of the decisions, only about 42% of the appeals that advanced to a Regional Review hearing were upheld in their entirety by the Panel in 2011.

In 2011, all overturned housing provider decisions pertained to retroactive re-calculations of RGI spanning numerous months and resulting in an overpayment of RGI assistance. In each of these cases, the Panel upheld the provider's decision to make a retroactive adjustment, and only changed the amount to be repaid.

When circumstances are complex, housing providers are encouraged to involve the Housing Services Division prior to making a decision that may be adverse to the household. Regional staff may be of assistance in interpreting relevant legislation, regulations and local policy and identifying areas where it is appropriate for the housing provider to exercise its discretion.

Membership of the Regional Review Panel

The Regional Review Panel is an independent body that conducts Regional Reviews of decisions about RGI assistance and special needs housing. It was established in 2002 under the authority of the *Social Housing Reform Act* and is fully compliant with the new requirements set out under the *Housing Services Act* in 2012. The Regional Review Process may be reviewed in 2012.

The Regional Review Panel generally reviews decisions of a more complex nature, and seeks to ensure that applicants' and tenants' rights to due process as required under the *Housing Services Act* are protected.

The Regional Review Panel includes representatives from social housing providers and staff of the Region's Department of Social Services, most notably from the Housing Services Division. A Regional Review Panel is convened whenever a request for a Regional Review is received by the Housing Services Division. At a Regional Review hearing, the Panel normally consists of two Panel members that are Regional staff and one non-Regional member.

The current roster of Regional Review Panel members is as follows:

Name	Affiliation(s)
Non-Regional Members	
Mike Anton	New Hope Dwellings
Therese Baduria	New Hope Non-Profit Dwellings (Durham) Inc.
Deborah Hickling	Bowmanville Valley Housing Co-operative Inc.
Janis Huberty (on leave)	Durham Region Non-Profit Housing Corporation
Linda McLean	Gateway Community Homes (Durham) Inc. Harmony King Co-operative Homes Inc.
Catherine Papagianis	Ajax Municipal Housing Corporation
Carol Rodway	Otter Creek Co-operative Homes Inc.

Name	Position/Division
Regional Members	
Diana Chappell	Program Manager, Affordable Housing and Homelessness Initiatives
Stacey Ferguson	Supervisor, Income and Employment Support
Barbara Graham	Property Manager, Housing Operations
Roberta Jagoe	Policy Analyst, Housing Administration
Laurie Kane	Family Support Worker, Housing Administration
Eleanor MacDonald	Program Manager, Housing Administration
Debbie McCord	Manager of Social Housing Operations
Dave Thomas	Policy Analyst, Income and Employment Support

Housing providers are encouraged to participate as a volunteer member of the Regional Review Panel. Non-Regional Panel members normally participate in only one or two hearings per year. If you are interested in being considered for membership on the Regional Review Panel, please complete the attached application form and return it to Eleanor MacDonald, Program Manager, Housing Administration.

Mary Menzies
Director of Housing Services

cc. Joanne Cermak, Director of Financial Services



Membership Application – Regional Review Panel

I would like to apply to participate as a member of the Regional Review Panel.	
Name:	Position/Title:
Organization:	
Address:	
City/Town:	Postal Code:
Phone: ()	Fax: ()
Email address:	
Please list all housing providers with which you are associated:	
<ul style="list-style-type: none">• I understand that as a member of the Regional Review Panel I may not participate in all reviews conducted by the Panel.• I understand that information disclosed as part of a Regional Review is confidential and agree that I will not share this information outside of the Regional Review.• I acknowledge that I cannot participate as a member of the Regional Review Panel in any reviews resulting from decisions with which I was directly involved or have previously discussed.• I agree to declare a conflict of interest for any decision of which I have prior knowledge.• I agree not to participate in any Regional Reviews related to housing projects or providers with which I am associated.	
Signature:	Date:

Please return this completed form to:

**Eleanor MacDonald - Program Manager, Housing Administration
Region of Durham, Housing Services Division
605 Rossland Road East, Whitby, ON L1N 6A3
Phone: 905-668-7711, ext. 2477 / Fax: 905-666-6225**