



Quarterly Performance Report Q1 2017 (January 1, 2017 – March 31, 2017)

The OCHE oversees compliance with TCHC policies, procedures, applicable legislation and guidelines relating to evictions for arrears and loss of subsidy for seniors and other vulnerable residents to support eviction prevention and ensure fair and equitable treatment.

INTEGRITY. IMPARTIALITY. INDEPENDENCE



PART 1: Executive Summary

The first Quarter of 2017 has seen continued success in the avoidance of evictions and the re-establishment of sustainable tenancies for seniors and vulnerable persons at TCHC. The OCHE continued to have high levels of engagement, with 94.5% of Tenants engaging with the OCHE, and only 3 out of 54 Tenants not responding to the OCHE's engagement efforts. The OCHE avoided the need for referral to the Landlord and Tenant Board (LTB) for 87% of Tenants. These results continue to support TCHC's goals of Eviction Prevention and Housing Stability.

Throughout Q1 the OCHE continued to participate in TCHC's review of the process for identifying and supporting Vulnerable Tenants living in TCHC. With the arrival of a new Director of Program Development reporting to the VP of Resident and Community Services, a new "Supporting Vulnerable Tenants Strategy" has been proposed to replace the previous File Management System. The Commissioner and one of the OCHE EROs are actively involved in the work being undertaken on this strategy, and have agreed to serve on 3 committees supporting this process. This process will continue in earnest throughout 2017, and the OCHE will provide further updates on the OCHE's involvement in its quarterly reports.

The OCHE is also pleased to report on progress regarding the new OCHE website as approved by the Board of Directors in 2016. During Q1, the RFP process was completed with support from TCHC. The evaluation team comprised of representatives from the OCHE, ITS and Communications, met with 2 vendors for formal presentations, and the successful vendor was identified in Q2. The OCHE is looking forward to beginning to work on the development of this new site in Q2, with an anticipated launch date of January 1, 2018.

In addition, the Commissioner has also been invited by the VP of ITS to serve on its Evaluation Committee to search for a new Integrated Housing Management System for TCHC as a whole. It is an excellent opportunity for OCHE to be part of the larger picture and processes at TCHC and the Commissioner is pleased to participate in this important project.



In the Q4, 2016 Executive Summary, the Commissioner put forth four recommendations to assist TCHC in referring vulnerable tenants who owe arrears of rent to the OCHE earlier in the process. As a result of these recommendations the TCHC and the OCHE met to develop a new File Referral Pilot to test these options.

In February 2017, files began to be referred to the OCHE under the new pilot. TCHC has agreed to send a total of 50 files through this Referral Pilot, with most of these files being diverted from the RCS File Management System for Vulnerable Tenants with arrears of rent. In February, the OCHE received a total of 11 referrals, 3 of which were for seniors in arrears greater than \$10,000 and 8 were for households identified as candidates for the RCS File Management System and therefore were considered to be vulnerable. The OCHE will be analysing the outcomes on these files and reporting on the effectiveness of this pilot in addressing challenges faced by Vulnerable Tenants in arrears. It should be noted that by the time of writing, TCHC has referred 52 files to the OCHE as part of the new File Referral Pilot.

During Q1 2017 the OCHE also made changes to its Arrears Reports and Recommendations, correspondence, and Quarterly Reports to eliminate potential accessibility barriers. The OCHE team met with Cathy Birch of R-Path, to learn about the work R-Path is doing across the TCHC portfolio to increase accessibility for TCHC tenants. This meeting helped to supplement the training all OCHE team members received from TCHC regarding the *Accessibility for Ontarians with Disabilities Act*, and served to deepen the OCHE's understanding of how it can further support the needs of the Tenants it serves.

Finally, the OCHE has begun developing training to be delivered to TCHC front-line staff during Q2 2017, in conjunction with Asset Management and Resident and Community Services. This training will provide a great opportunity to address challenges and deficiencies noted by the OCHE in our Arrears Reports and responding to some of the consistent recommendations made by the Commissioner. The OCHE will also reinforce its mandate and role within TCHC, providing skills training on the "OCHE Approach" to Tenant Engagement and Resolution, and best practices when brokering Local Repayment Agreements.

PART 2: OCHE Arrears Reports and Recommendations in Q1

The OCHE completed its review and resolution efforts on 54 arrears files during the reporting period, and delivered the resulting Reports and Recommendations back to TCHC and the involved tenants.

Quarter	DM Reports	CM Reports	Seniors	Vulnerable
Q1 2017 (54)	47	7	43	11
Q4 2016 (66) ¹	52	14	53	12
Q3 2016 (65)	45	20	51	14
Q2 2016 (74)	56	18	49	25
Q1 2016 (42)	35	7	31	11
Q4 2015 (90)	69	21	62	28
Q3 2015 (42)	38	4	23	19
Q2 2015 (46)	39	7	24	22

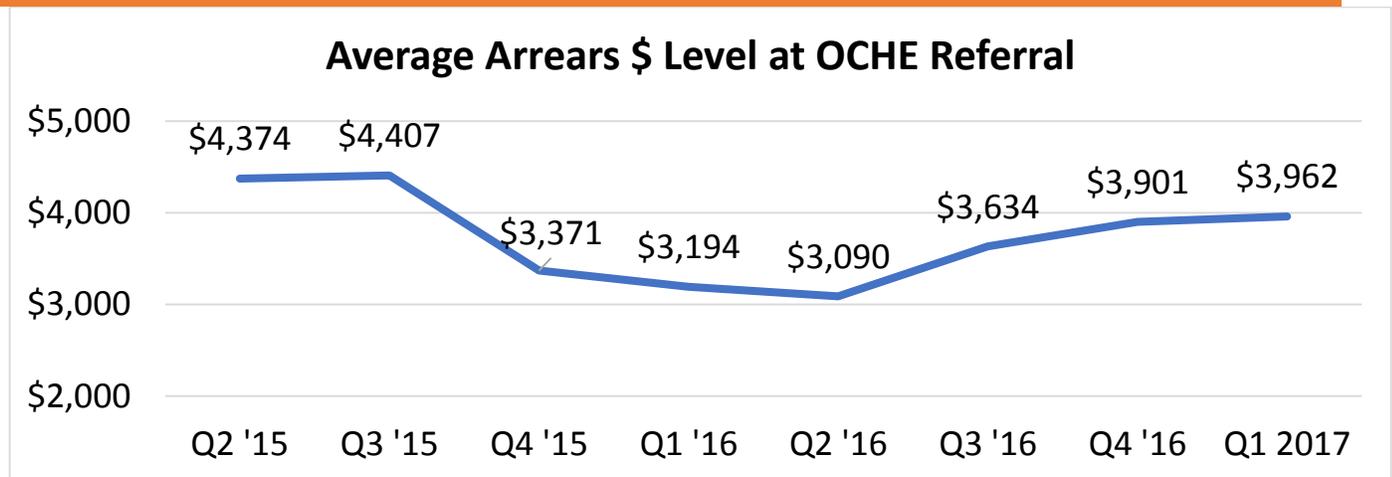
Vulnerable Referral Source	Number of Referrals
RCS File Management System (“FMS”)	4/11
TCHC Interim Criteria for Identifying Vulnerable Tenants	4/11
External Agencies or TCHC Staff outside above processes	3/11

OCHE Engagement Levels

The OCHE has embraced a purposeful engagement model, “the OCHE Approach”, which has resulted in the OCHE being able to successfully engage with **94.5% (51/54)** of the tenants whose reports were completed in Q1 2017. This engagement level is comparable to the 97% reported in both Q3 and Q4 2016.

¹ One file that was reported on this quarter was referred to the OCHE in error, being neither a senior nor identified as vulnerable.

Level of Arrears at Referral to OCHE²



Arrears Collection Process: N4³ and OCHE Referral Timelines

The OCHE has divided the application of TCHC's current Arrears Collection Process into two main trigger points. The first measurement is for the timing of the service of the N4 in relation to when the arrears began⁴. The second measurement is for the timing of the referral to the OCHE after the N4 was served.

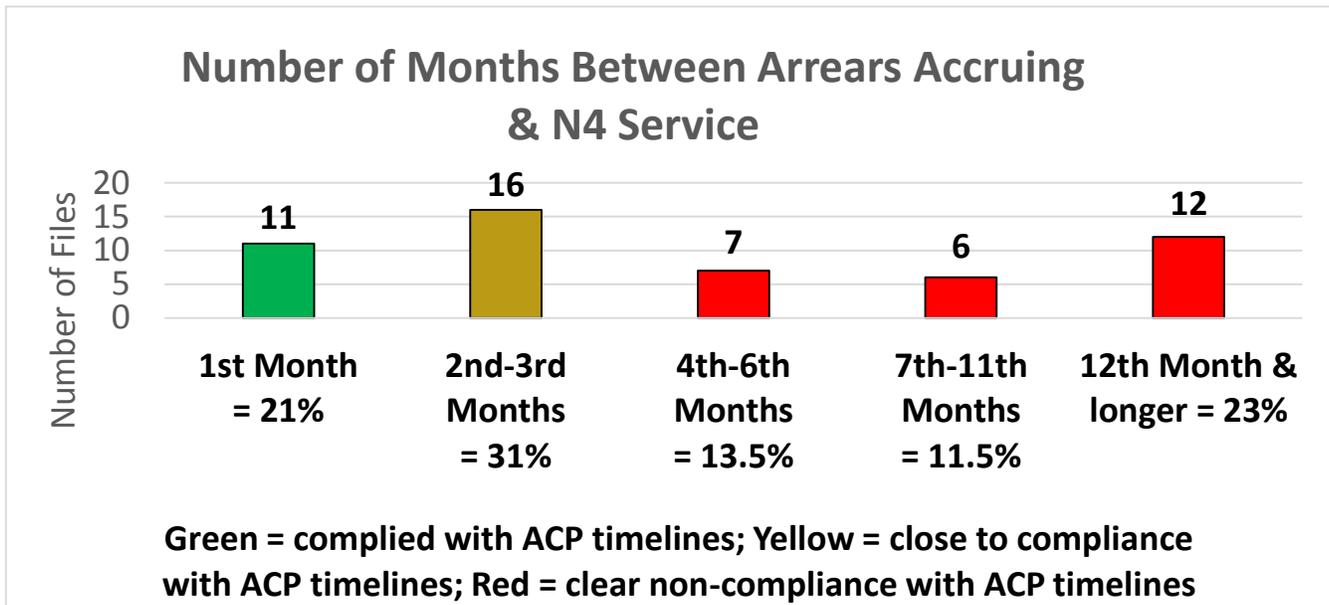
² This calculation includes those files that were referred through the typical referral process (i.e. when TCHC is seeking to make an L1 Eviction for Arrears Application to the Landlord and Tenant Board.

³ N4 = "Notice to End a Tenancy Early for Non-payment of Rent" – this is the initial legal document required by the Landlord and Tenant Board to give notice to a Tenant that the Landlord may make an application to the Landlord Tenant Board for an eviction due to unpaid rent (arrears). The N4 provides timelines for the Tenant to repay the arrears, failing which the Landlord is entitled to make an eviction application to the Landlord and Tenant Board.

⁴ The Arrears Collection Process allows for a Local Repayment Agreement to be entered into before an N4 is served. Where a LRA is entered before an N4 is served, the OCHE has used the entering of the LRA as the trigger for this measurement.

N4 Timelines⁵

The current Arrears Collection Process indicates that N4s should be served in the 1st month of arrears.



Quarter	1 st Month	2 nd -3 rd Months	4 th -6 th Months	7 th -11 th Months	12 th Month & Longer
Q1 2017 (52)	11 (21%)	16 (31%)	7 (13.5%)	6 (11.5%)	12 (23%)
Q4 2016 (56)	16 (28.5%)	16 (28.5%)	7 (12.5%)	4 (7%)	13 (23.5%)
Q3 2016 (59)	12 (20.5%)	19 (32%)	8 (13.5%)	6 (10%)	14 (24%)
Q2 2016 (74)	14 (19%)	26 (35%)	11 (15%)	11 (15%)	12 (16%)
Q1 2016 (42)	8 (19%)	11 (26%)	8 (19%)	8 (19%)	7 (17%)
Q4 2015 (90)	18 (20%)	22 (24.5%)	12 (13.5%)	10 (11%)	28 (31%)
Q3 2015 (41)	4 (9.75%)	18 (44%)	8 (19.5%)	7 (17%)	4 (9.75%)
Q2 2015 (46)	11 (24%)	11 (24%)	9 (19.5%)	7 (15%)	8 (17.5%)

- 12/52 (23%) of the files had breached underlying Local Repayment Agreements between TCHC and the tenant.
 - 3/12 (25%) of these files had multiple Local Repayment Agreements.

⁵ A total of 52 files were referred to the OCHE before an L1 application had been commenced, with an additional 2 files being referred outside the typical referral process. Only those 52 files that were referred under the standard ACP referral process are included in this calculation.



- 3/12 (25%) of these Local Repayment Agreements were not formalized in writing.
- 19/52 (37%) of the files had multiple N4s⁶ served on the tenant.
 - 1/19 (5%) of the multiple N4s were due to errors with the original N4 documents.

OCHE Referral Timelines⁷

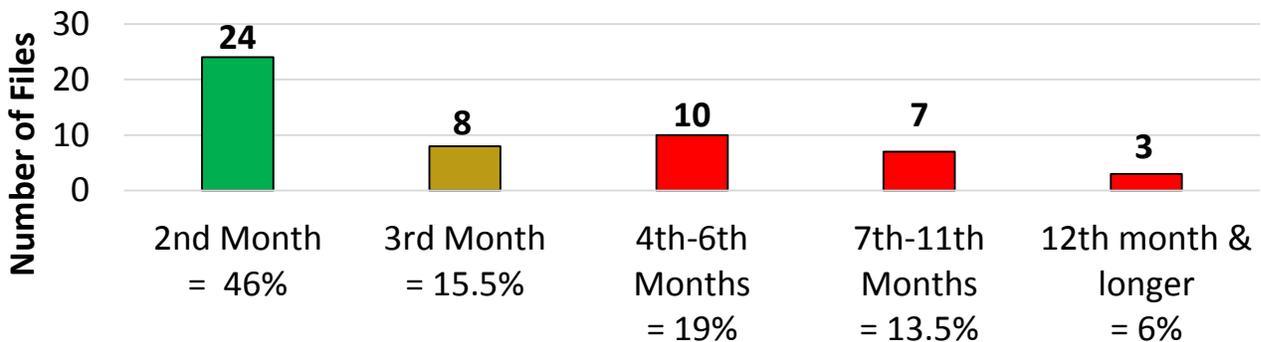
The Arrears Collection Process indicates that decisions to proceed to an Eviction Application should be made by the end of the month *after* the N4 was issued (approximately 60 days after the arrears began). The OCHE should receive the referral within the following month (2nd month after N4⁸). In cases where TCHC enters into a Local Repayment Agreement after the service of an N4, an unrepaired breach triggers the referral to the OCHE.

⁶ Where multiple N4s were served on a tenant, the N4 to be used on the L1 Application was used in calculating the time between arrears commencing and service of N4.

⁷ A total of 52 files were referred to the OCHE before an L1 application had been commenced, with an additional 2 files being referred outside the typical referral process. Only those 52 files that were referred under the standard ACP referral process are included in this calculation.

⁸ Where a vulnerable tenant is referred to Resident and Community Services to work with a Community Service Coordinator, an additional 40 business days are provided before the referral to the OCHE. This additional 40 business days is accounted for in the calculation of these statistics.

Number of Months After N4 Service/Breached LRA & OCHE Referral



Green = complied with ACP timelines; Yellow = close to compliance with ACP timelines; Red = clear non-compliance with ACP timelines

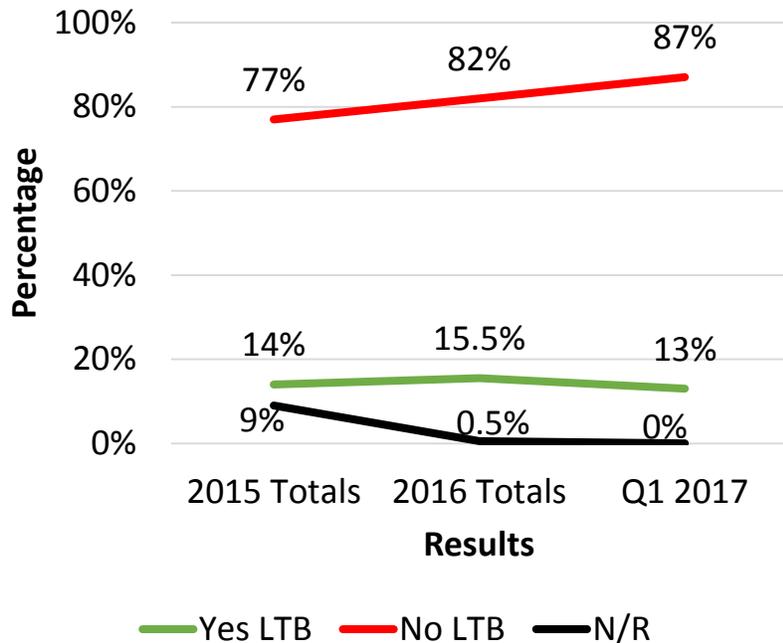
Quarter	2nd Month	3 rd Month	4 th -6 th Months	7 th -11 th Months	12 th Month & Longer
Q1 2017 (52)	24 (46%)	8 (15.5%)	10 (19%)	7 (13.5%)	3 (6%)
Q4 2016 (56)	19 (34%)	13 (23%)	13 (23%)	6 (11%)	5 (9%)
Q3 2016 (59)	33 (56%)	12 (20.5%)	11 (19%)	2 (3%)	1 (1.5%)
Q2 2016 (74)	36 (48.5%)	9 (12%)	18 (24.5%)	8 (11%)	3 (4%)
Q1 2016 (42)	5 (12%)	5 (12%)	19 (45.25%)	9 (21.5%)	4 (9.75%)
Q4 2015 (90)	37 (41%)	18 (20%)	21 (23.25%)	12 (13.5%)	2 (2.25%)
Q3 2015 (41)	18 (44%)	6 (14.5%)	9 (22%)	6 (14.5%)	2 (5%)
Q2 2015 (46)	16 (34.5%)	9 (19.5%)	8 (17.5%)	11 (24%)	2 (4.5%)

Overall ACP Timeline Compliance

- 5/52 (10%) of files this quarter have met both the N4 service timeline (1st month of arrears) and the OCHE referral timeline (2nd month after N4 or breached Local Repayment Agreement).

OCHE Outcomes for Arrears Files

Recommendations to Proceed with Eviction Application



YES: The OCHE recommended TCHC proceed with an L1 Eviction for Arrears Application at the LTB

NO: The OCHE addressed the arrears, resolving the need to proceed with eviction at the LTB, or the OCHE identified reasons for the file not to proceed to the LTB

NR: Not Required. The OCHE identified reasons why an L1 Eviction for Arrears Application was no longer required (i.e. tenant abandoned unit, deceased, provided Notice to Vacate, etc.).

Reporting Period	Yes to LTB		No to LTB		LTB Not Required	
	DM	CM	DM	CM	DM	CM
Q1 2017 (54)	6	1	41	6	0	0
2016 Totals (247)	28	10	154	48	7	0
2015 Totals (225)	25	7	137	36	19	1

The OCHE was able to stabilize housing and avoid evictions in 87% (47/54) of files completed during the reporting period. This resolution level is comparable to the 90.5% in Q4 2016 and the 89% in Q3 2016.

OCHE Report and Recommendations Timing

The OCHE completes its review, resolution efforts, and resulting report and recommendations, within 45 Business Days of receiving a referral from TCHC, unless the OCHE identifies exceptional circumstances or a level of complexity warranting additional time. The OCHE has determined that it takes an average of approximately 1.5 times longer to resolve the arrears files for vulnerable tenants.

Reporting Period	Within Timelines	Outside Timelines
Q1 2017	41 (76%)	13 (24%)
Q4 2016	54 (82%)	12 (18%)
Q3 2016	51 (78.5%)	14 (21.5%)
Q2 2016	60 (81%)	14 (19%)
Q1 2016	37 (88%)	5 (12%)

Of the 7 arrears files the OCHE recommended TCHC proceed with an Eviction Application

Below are the outcomes for the 7 arrears files in Q1 2017 where the Commissioner recommended to TCHC that they proceed to the Landlord and Tenant Board:

Proceeded to the LTB	Numbers
YES	6/7
NO ⁹	1/7

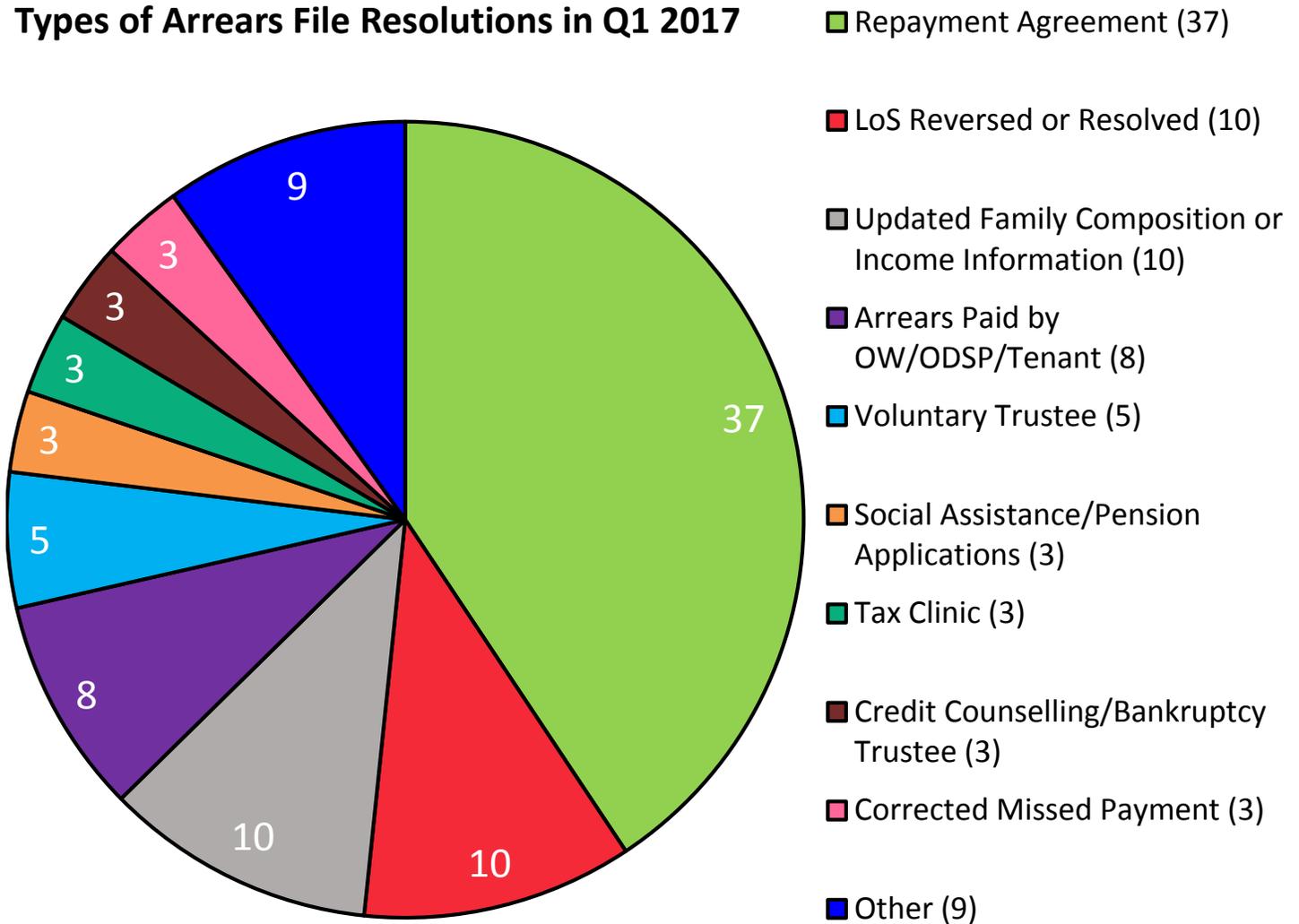
Outcome at the LTB	Numbers
Upcoming Hearing Dates	4/6
Eviction Orders	2/6

⁹ The Tenant paid the arrears in full and proceeding with an Eviction Application was no longer necessary.

OCHE Resolution Types

The OCHE works with TCHC staff and tenants to come up with solutions for the arrears and resolve the need for an Eviction Application. In many cases, more than one type of resolution is required to stabilize housing and avoid evictions for arrears. The instances of the OCHE’s various resolution methods¹⁰ are described in the following pages.

Types of Arrears File Resolutions in Q1 2017



¹⁰ “Other” includes: Referral to the Office of the Public Guardian and Trustee, LEAP, Trillium Drug Benefit Application, Rogers Connected to Success, Housing Stabilization Fund, Hydro Reconnection, and InSitu Applications.

Direct Payments and Local Repayment Agreements

Direct Payments to TCHC:

The OCHE was able to secure direct payment to TCHC for arrears (lump sums paid directly by the household or via the City’s Housing Stabilization Fund, ODSP, OW Shelter Fund, etc.) in 17% (8/47) of resolved arrears files this quarter.

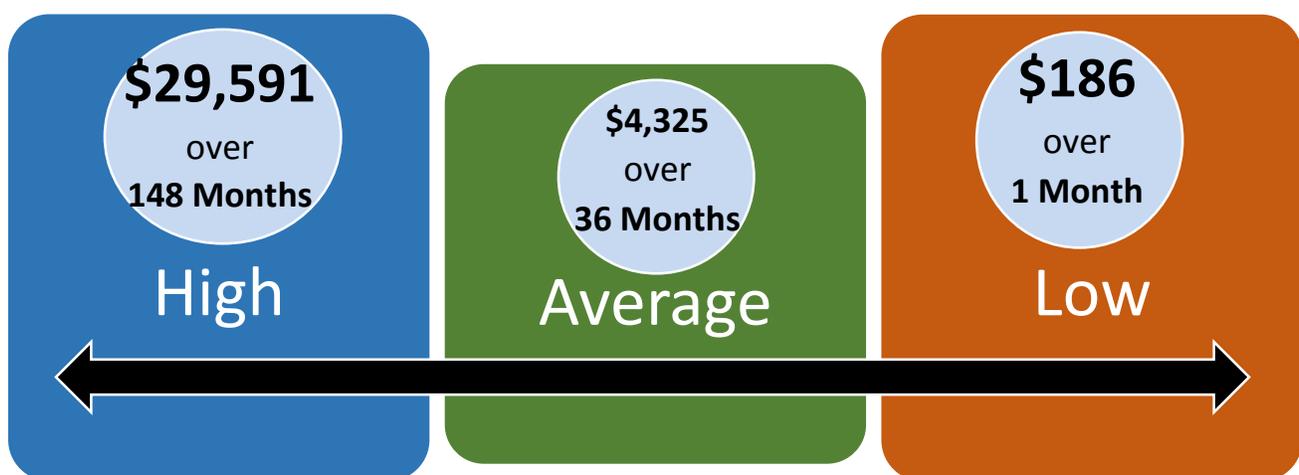
- These direct arrears payments to TCHC totalled \$16,721 this quarter, a small decrease from \$18,366 in Q4 2016.

Direct Payment Source	Payment Amounts
Tenant/Family	\$10,012
Housing Stabilization Fund	\$3,200
Ontario Works/ODSP	\$3,509

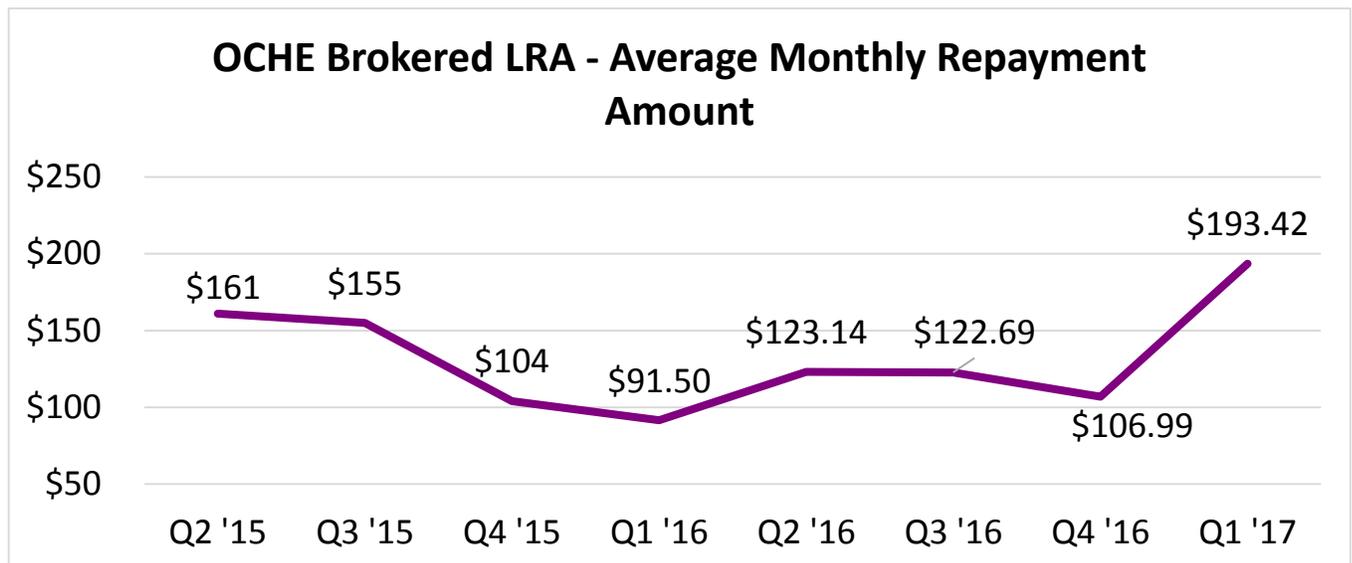
Local Repayment Agreements:

The OCHE brokered 37 Local Repayment Agreements this quarter.

The details of the OCHE brokered Local Repayment Agreements are as follows:



The OCHE brokered Local Repayment Agreements covering \$160,006 in total arrears.



- The OCHE also reported on an additional 28 breached OCHE Brokered Local Repayment Agreement files in accordance with the Board approved process.

Summary Findings - Arrears Collection Process

In total, the OCHE found issues with the application of TCHC’s Arrears Collection Process (“ACP”) in 53/53 of the arrears files completed during this quarter.¹¹

The OCHE’s main findings relating to the ACP include:

- 1. Delays in TCHC’s service of N4s (the initial legal documents required by the LTB to give notice to a Tenant that TCHC may make an application for eviction due to arrears); and**
- 2. Delays in the referral to the OCHE after serving the N4, or where the Tenant has breached a Local Repayment Agreement entered into with TCHC for the arrears.**

¹¹ 1 file reported on in this quarter did not receive a full ACP audit due to its specific circumstances.



In addition to the above, a selection of the most frequent ACP issues identified by the OCHE during this quarter included:

- **Errors with Letters Sent to Tenants as part of the Arrears Collection Process**
 - The Arrears Collection process requires specific letters be sent to specific groups of tenants at defined points in the process. When letters are sent too late, too early, too many times, or simply to the wrong household, this can cause confusion to the tenants and impact the effectiveness of the Arrears Collection Process and staff's ability to resolve the underlying arrears.

- **Errors or Delay in Direct Contact Attempts**
 - Direct contact with tenants is the most effective way to resolve arrears and identify potential underlying issues that may have led to the arrears. Errors or delays in making direct contact attempts contributes to the increase of arrears with the resulting consequences for TCHC and our tenants.

- **Multiple N4s (Notice to End a Tenancy Early for Non-Payment of Rent)/N4 Errors**
 - TCHC is only required to serve 1 valid N4 on a tenant before proceeding with an eviction application to the Landlord and Tenant Board. Serving multiple N4s where there are no issues with validity is not a best practice and can lead to confusion on the part of the tenant. Serving N4s with errors serves to delay the process at the point where TCHC has made the determination it needs to seek an Eviction Application at the LTB.

- **Non-adherence with TCHC's Documentation Standards/Errors with Local Repayment Agreements**
 - TCHC has developed Documentation Standards that staff are expected to comply with. When these standards are not met, it impacts the organizations record of what has occurred with a specific tenant, along with staff's ability to respond. Non adherence to the Documentation Standards also acts as a barrier in the OCHE's effective review of files.

PART 3: Loss of Subsidy Reviews

The OCHE audits all instances where senior or vulnerable tenants living in TCHC have had their Rent-Geared-to-Income (“RGI”) subsidy revoked. Each month TCHC provides a list of all such tenants to the OCHE. The OCHE conducts an audit on TCHC’s computer systems to review compliance with the applicable Legislation¹², City Guidelines¹³ and TCHC Policies.

Within 30 calendar days of referral, the OCHE completes its audit and delivers the results to TCHC. This includes the audit data, a report outlining TCHC’s performance for the month and statistical comparison to past results, and specific and general recommendations to address any deficiencies or errors uncovered during the audit.

100% of the OCHE’s Reports on Loss of Subsidy have been delivered to TCHC Asset Management within 30 calendar days of receipt of referrals.

Loss of Subsidy Referrals

Reporting Period	Senior Referrals		Vulnerable Referrals	
	DM	CM	DM	CM
Q1 2017 (101)	89	3	4	5
Q4 2016 (101)	84	9	7	1
Q3 2016 (129)	113	7	8	1
Q2 2016 (143)	113	14	15	1
Q1 2016 (104)	86	6	12	0
2015 Totals (666)	542	43	78	3

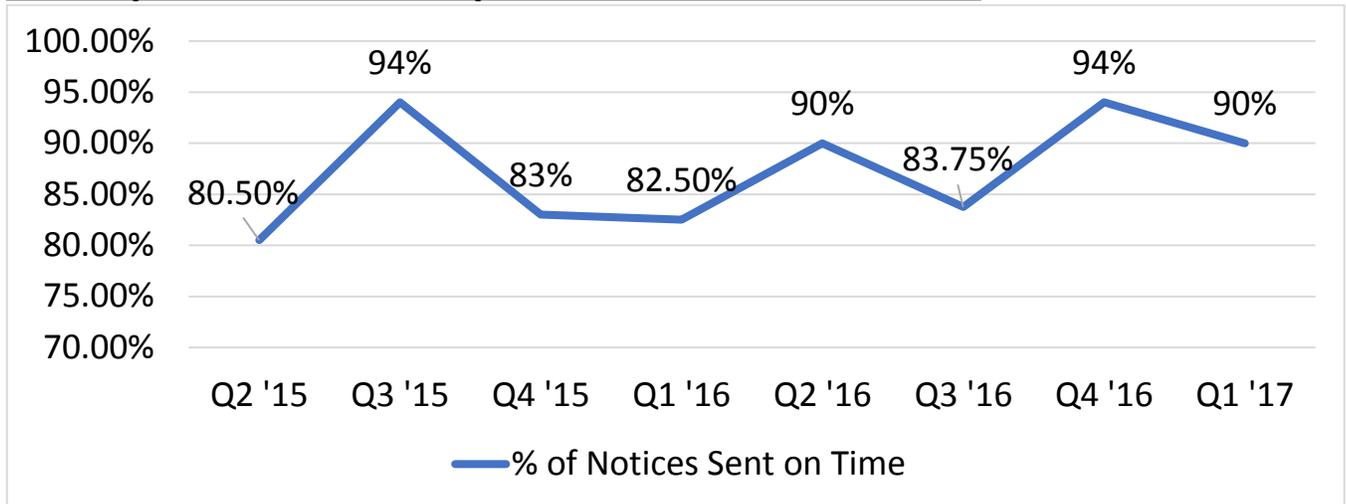
***Note:** The OCHE continues to be concerned of the low levels of vulnerable referrals.

¹² The *Residential Tenancies Act, 2006*; and the *Housing Services Act, 2011*

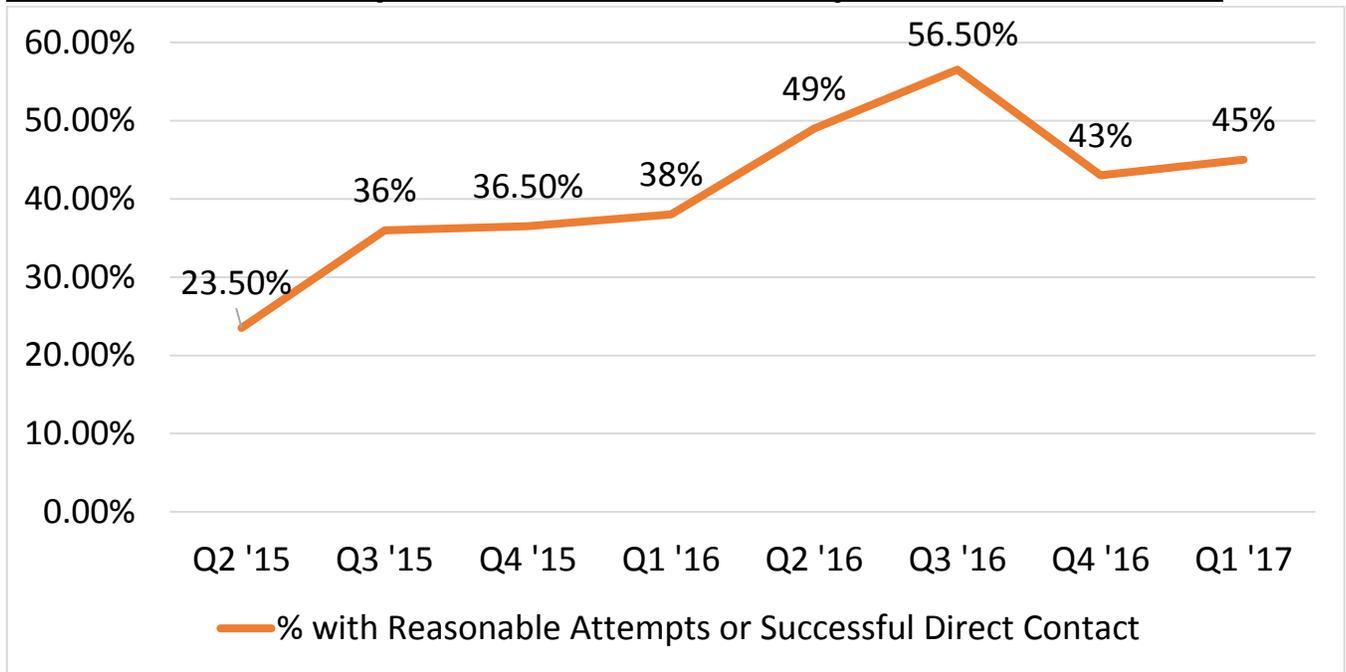
¹³ The City of Toronto’s *Rent-Geared-to-Income (RGI) Administration Manual*

Major LoS Audit Findings:

Delivery of Loss of Subsidy Notice of Decision on Time

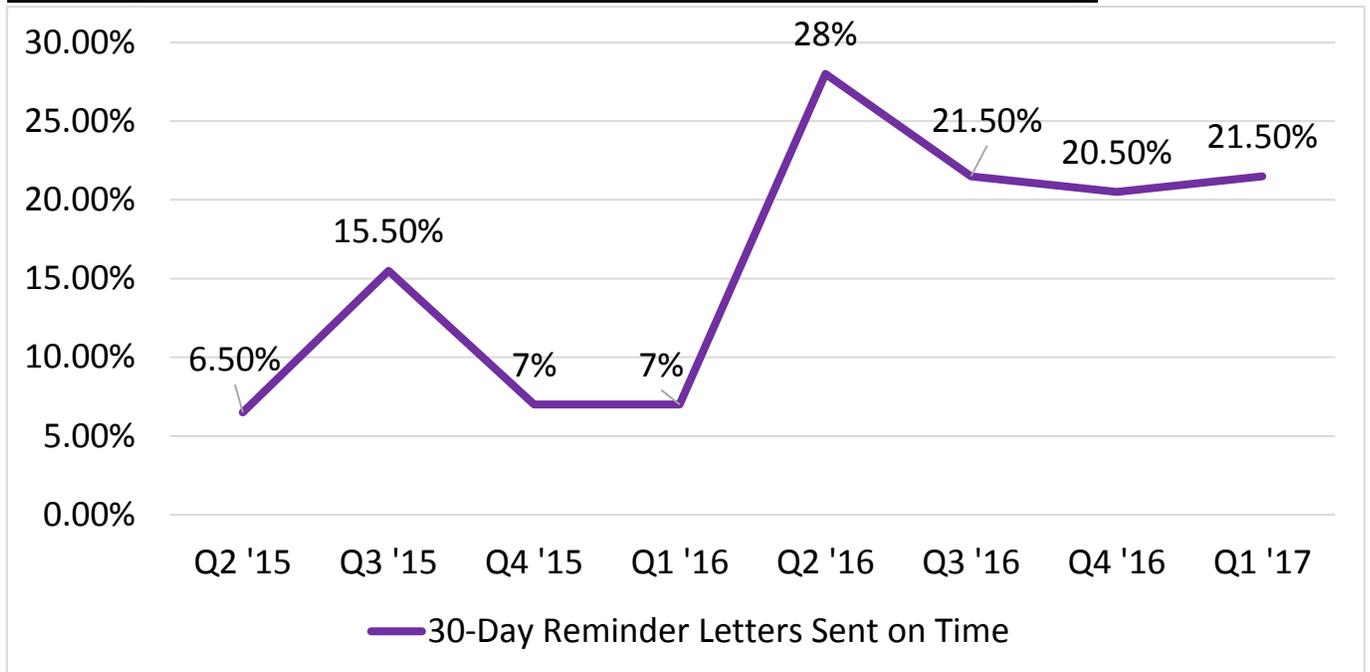


Direct Contact Attempts before Loss of Subsidy Notice is Delivered¹⁴



¹⁴ When an RGI subsidy is being revoked for failure to submit the annual rent review package, the RGI Administration Manual requires that housing providers try to contact the household in person to see if they can provide the documents before issuing a *Notice of Decision – Loss of Eligibility for RGI Assistance* form.

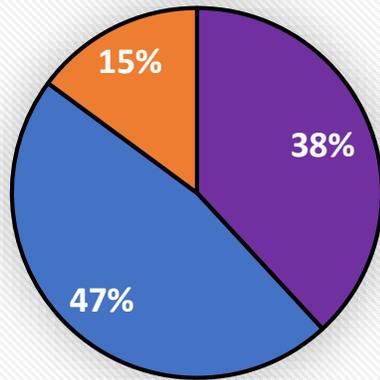
Delivery of Reminder Letters in Accordance with TCHC Policy



The current local rules became effective in August 2014 - *City of Toronto, RGI Administration Manual, Chapter 7 (August 2014), p. 9*

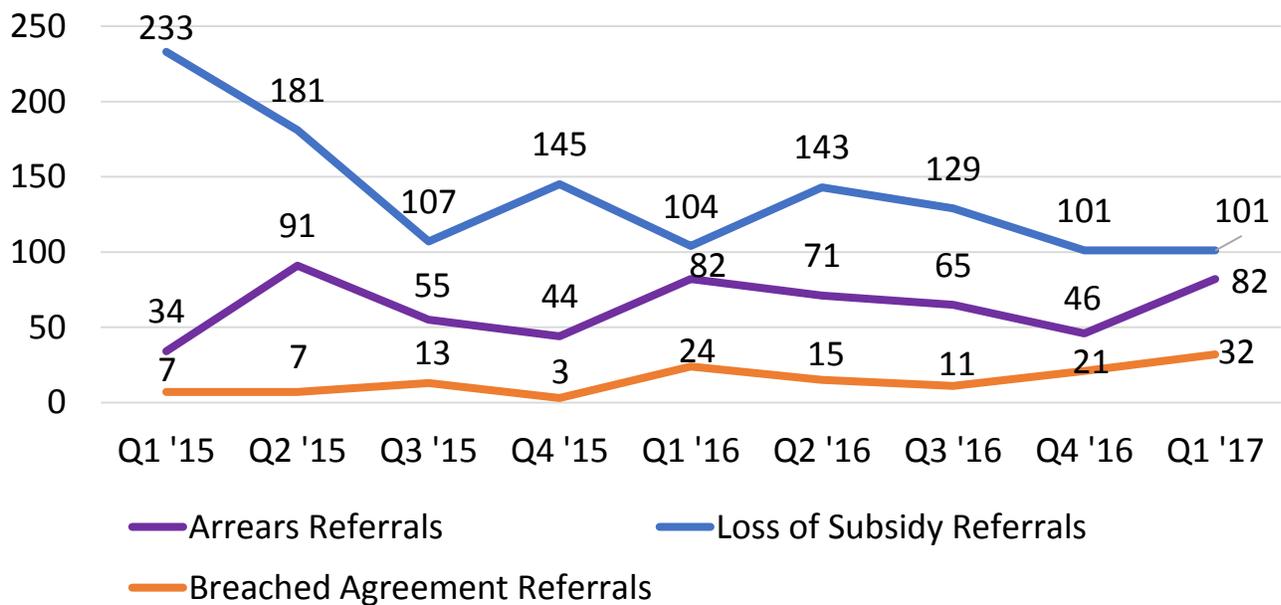
PART 4: Referrals to OCHE in Q1 2017¹⁵

OCHE by the Numbers January to March, 2017



- Arrears Referrals: 82 = 27.3/month
- Loss of Subsidy Referrals: 101 = 33.6/month
- Breached Agreement Referrals: 32 = 10.6/month

Referral Trends - Q1 2015 to Present



¹⁵ Pie Chart represents % for each category during this quarter. Legend indicates total quarterly number and monthly average during this quarter.

Arrears File Referrals to the OCHE in Q1

Quarter	Referral Source		Referral Type	
	Direct Managed	Contract Managed	Senior	Vulnerable
Q1 2017 (82)	69	13	66	16
Q4 2016 (46)	39	7	35	11
Q3 2016 (65)	45	20	53	12
Q2 2016 (71)	51	20	50	21
Q1 2016 (82)	62	20	54	28
Q4 2015 (44)	34	10	39	5
Q3 2015 (55)	40	15	39	16
Q2 2015 (91)	83	8	40	51

***Note:** A total of 11 files were referred to the OCHE during Q1 2017 as part of the File Referral Pilot with the OCHE and AM/RCS. 3 referrals were for Seniors with more than \$10,000 in arrears that were not being managed by a Local Repayment Agreement. 8 of the referrals were for vulnerable tenants in arrears that were intended to proceed through the RCS File Management System. A total of 50 files will be referred as part of this process. The OCHE has already received the additional 39 files already in Q2 2017.

PART 5: Case Studies

Case Study 1

A female senior Rent-Geared-to-Income (“RGI”) Tenant living with her son in a Direct Managed property were referred to the OCHE in February 2017 facing the risk of eviction for arrears of rent. At the time of referral the household had arrears totaling \$9,418.00.

The Tenants’ arrears began in September 2016, when the RGI subsidy was revoked for non-return of the Annual Income and Asset Review Form (“AR”), resulting in the rent increasing from the Ontario Works rate of \$85.00 to the Market Rent rate of \$1430.00. Ontario Works continued to pay \$85.00 towards the Tenants’ monthly rent charge until January 2017 when the Tenants’ Ontario Works benefits were suspended. No rent was paid in January or February 2017.

The Tenant Services Coordinator (“TSC”) made numerous efforts to meet with the household to complete the AR and reinstate the RGI Subsidy, but despite phone calls, letters, door knocks and scheduled meetings, the TSC was unsuccessful at resolving the arrears. The TSC referred the household to a CSC, who was able to meet with the Tenants and provide information to the Mother on how to reinstate their RGI subsidy. The CSC further recommended the Mother address the suspended OW benefits and make an appointment with her family doctor to discuss her health concerns.

When the household was referred to the OCHE in February 2017, the Tenants met with the OCHE Early Resolution Officer (“ERO”) who worked with them to identify the underlying issues presenting challenges in maintaining their tenancy. In particular, the Mother indicated she was overwhelmed with physical and mental health issues, which prevented her from completing her Annual Review without direct support. The Mother also indicated her eldest son had moved out of province, but the household was unsure of how to have him removed from the lease. Lastly, the Tenants confirmed the suspension of the OW benefits.

The ERO was able to work with the Tenants to have their OW benefits reinstated, and OW resumed pay-direct to TCHC for the monthly rent. The ERO was also able to assist the Tenants in removing the eldest son from the lease, and obtaining the documents necessary to complete the AR, resulting in the Tenants’ RGI subsidy being reinstated. After the RGI subsidy was reinstated, the arrears



were recalculated, resulting in a \$68.00 credit on the account. Lastly, the ERO assisted the Mother to access community mental health supports.

By working with the Tenants to reinstate the OW benefits, update the household composition, and resolve the Loss of Subsidy, the ERO was able to address all the arrears and ensure that the households rent will be paid to TCHC going forward. Further, by assisting the Mother to address her mental health needs, the ERO has helped the Tenants to avoid the risk of eviction and achieve housing stability. As a result, the Commissioner did not recommend proceeding with an Eviction Application to the Landlord and Tenant Board.

Case Study 2

A Vulnerable Rent-Geared-to-Income (“RGI”) household comprised of a Mother and Son were referred from a Direct Managed property in December 2016 facing the risk of eviction for arrears. At the time of referral, the Tenants had already been to the Landlord and Tenant Board (“LTB”) where TCHC had obtained an Eviction Order and was in the process of having the Sheriff enforce the eviction. The household was perceived to be Vulnerable by their City Councillor who asked the OCHE to review the file. The OCHE assessed the household as Vulnerable and requested the referral from TCHC, which as of December 2016 had arrears totalling \$9,668.52.

The Tenants’ arrears began in July 2014, when the household lost their RGI subsidy for non-return of the Annual Income and Asset Review Form (“AR”) and no payment was made towards the rent. The arrears remained unresolved and TCHC made an Eviction Application to the LTB in December 2014. Between December 2014 and July 2016, TCHC and the Tenants’ entered into 3 LTB Mediated Agreements, all of which were eventually breached.

In August 2016, TCHC obtained an Order to Evict based on the most recent breached Mediated Agreement. That same month, the Mother was involved in an accident which left her unable to work. The Mother met with the OUM in September to discuss the arrears, where the Mother advised that TCHC intended to request the Landlord and Tenant Board to set-aside the Eviction Order at a hearing in October. The Mother also disclosed her son’s mental illness, confirming he was receiving ODSP and that his rent would be paid by ODSP directly to TCHC. Lastly, the Mother reported her accident to the OUM who

advised the Mother to apply for OW and provide the updated income information to TCHC in order to reduce the monthly rent.

From September 2016 to when the Tenants were referred to the OCHE in December 2016, the Tenants successfully paid the monthly rent and the arrears repayment amount. Despite this, the OUM had concerns that the full arrears could not be paid by the expiry of the Eviction Order in March 2017, and requested TCHC staff attending the LTB to continue to pursue the eviction. The Landlord and Tenant Board denied the Tenants' request to set-aside the Eviction Order in November 2016.

During November and early December 2016, TCHC was in contact with the Mother and her OW Caseworker regarding possible assistance that OW could provide in paying off the arrears payable under the Eviction Order. Although OW indicated that it could be possible for the Mother to get \$1600 from OW, and the son could get \$1600 from ODSP, the remaining arrears would need to be managed in a Local Repayment Agreement that could be paid by OW. However, under this scenario the arrears would not be fully paid before the expiry of the Eviction Order in March 2017. As a result, the OUM took the position that unless the arrears were paid off in full, TCHC would proceed to enforce the eviction of this Mother and her disabled son. The Tenants ultimately reached out to their City Councillor, who identified the household to the OCHE.

The OCHE ERO met with the Tenants, who confirmed the challenges they had been facing in maintaining a healthy tenancy. In addition to the Son's mental health issues which made him unable to live on his own, the Mother confirmed her August 2016 accident, and further disclosed their challenges with hydro arrears.

The ERO assisted the Tenants with their arrears by:

- Obtaining funds from the City of Toronto's Housing Stabilization Fund to reduce the arrears by \$3,200.
- Negotiating with the Son's ODSP Manager to immediately pay the Son's portion of the remaining arrears (\$3,231) to TCHC.
- Negotiating with the Mother's OW Manager to top up the Mother's rent directly to TCHC by \$291 per month, in the form of a Local Repayment Agreement for the remaining arrears (\$3,231), which would result in the full arrears being paid by February 2018.



- Assisting the Tenants to apply for assistance through the Low Income Energy Assistance Program (“LEAP”) to have the hydro arrears paid.

Despite the significant payments made towards the arrears, the OUM was unwilling to sign an LRA that would extend beyond the March 2017 expiry date of the Eviction Order. This position favoured evicting a vulnerable household, likely rendering them homeless and further impairing the ability of TCHC to collect the arrears owed, over that of eviction prevention. Ultimately, the ERO obtained approval for the Local Repayment Agreement by appealing to the TCHC Director, who agreed with the housing stability approach proposed by the OCHE.

This case highlights the importance of properly identifying vulnerable households to be referred to the OCHE, as in this case, TCHC was aware of the vulnerabilities in the household prior to the most recent proceedings at the Landlord and Tenant Board. Had the Tenants been referred to the OCHE when the vulnerability became known, this positive resolution could have been achieved sooner, alleviating some of the recent stress this family endured. As a result of the above resolutions, the Commissioner did not recommend proceeding with the enforcement of the Eviction Order previously obtained from the Landlord and Tenant Board.

Case Study 3

A female Rent-Geared-to-Income (“RGI”) Tenant living in a Direct Managed property was referred to the OCHE in January 2017 after facing the risk of eviction for arrears of rent. The Tenant was identified as vulnerable through TCHC’s *Interim Criteria for Identifying Vulnerability* under the category “Unit Clutter”. The tenant lives alone and receives income from employment.

The Tenant’s arrears began in December 2015 when she failed to pay the monthly rent. The following month of January 2016, the Tenant lost her subsidy after failing to submit the supporting documents of her Annual Income and Asset Review Form, increasing her rent from \$531 to \$1,006. Between February 2016 and December 2016, the Tenant missed 7 rent payments, even after her RGI subsidy was retroactively reinstated in May 2016 after she submitted the necessary documents.

The Tenant Services Coordinator (“TSC”) made numerous unsuccessful attempts to connect with the Tenant, sending 12 letters, leaving voicemails, and knocking

on the Tenant's door. After receiving no responses, TCHC referred the Tenant to the OCHE.

When the OCHE received the file in late January 2017, the Early Resolution Officer ("ERO") was able to meet with the Tenant in February 2017. The Tenant explained that she receives employment income on a weekly basis, but struggles to budget her finances and plan ahead for monthly rent payments.

The ERO was able to provide support by:

- Completing a budgeting exercise to determine her monthly income and expenses, including which areas would allow for more consistent rent payments;
- Connecting to the *Good Food Box*¹⁶ to help lower monthly food costs;
- Connecting to the *Rogers Connected to Success Program* to help lower monthly internet costs;
- Facilitating a meeting between the Tenant and the Voluntary Trustee ("VT") for assistance with budgeting and to ensure monthly rent and arrears repayments are paid directly to TCHC each month;
- Brokering a reasonable Local Repayment Agreement ("LRA") with the Tenant and TCHC for the arrears of rent.

By helping the tenant work through her monthly financial budget, the ERO was able to assist the Tenant in understanding her monthly costs. This allowed for the Tenant to pursue community programs with the help of the ERO that would help to lower her living costs. Setting up an LRA with a reasonable repayment amount helped the process to address the Tenant's arrears, which can now be paid along with rent payments more consistently with the support of a VT. These actions, taken together, have helped this Tenant to avoid the risk of eviction and achieve housing stability, and also supports TCHC in having the Tenant's rent and arrears paid directly going forward. As a result, the Commissioner did not recommend proceeding with an Eviction Application to the Landlord and Tenant Board.

¹⁶ The "Good Food Box" is a project of FoodShare Toronto, a non-profit organization whose mission is to work with communities to improve access to affordable and healthy food. The Good Food Box program provides quality, healthy food, at costs lower than at a regular super market. For more information on the program view their website: www.foodshare.net/program/goodfoodbox