



Quarterly Performance Report Q2 2017 (April 1, 2017 – June 30, 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 following report details the OCHE's results for Q2 2017 and demonstrates our ongoing success in avoiding evictions and re-establishing successful tenancies for seniors and vulnerable tenants at TCHC. This quarter saw the OCHE complete its highest number of arrears reports and recommendations ever, with a total of 129 reports delivered. Of these, 42 were for files received under the OCHE Referral Pilot and 87 were received under the standard referral process.

This quarter also saw the OCHE continuing to have high levels of engagement, with 96% of Tenants engaging with the OCHE, and only 5 not responding to the OCHE's engagement efforts. The OCHE was also able to complete our reports within the 45 business day timeline in 93% of files, representing the best performance to date. Ultimately, the OCHE was able to work with Tenants and avoid the need for referral to the Landlord and Tenant Board ("LTB") 83.5% of the time. These results are truly a credit to the dedicated team of Early Resolution Officers at the OCHE, and a reflection of the OCHE's commitment to supporting TCHC's goals of Eviction Prevention and Housing Stability.

Throughout May and June the OCHE was involved in delivering training to 168 Tenant Service Coordinators, Community Service Coordinators ("CSC"), and Managers, focusing on the Arrears Collection Process. Training modules were delivered by Asset Management, Resident and Community Services and the OCHE. Asset Management's training focused on the areas of the Arrears Collection Process where challenges have previously been identified during the OCHE's audits. Resident and Community Services focused on the current process for identifying potentially vulnerable tenants for referral to CSCs, and the OCHE training focused primarily on the "OCHE Approach" to Tenant Engagement and Resolution. The goal of the OCHE's training was to provide a comprehensive understanding of how the OCHE works with Tenants to avoid eviction and support housing stability, while also providing soft-skills development, tools and resources which staff can use to support their day-to-day activities. The OCHE will also be using feedback received during these training sessions to explore opportunities to improve and modify some internal OCHE processes. The same training will be delivered to Contract Management Property Administrators and Property Managers in Q3 2017.

Q2 2017 also saw the OCHE complete its audit and resolution activities on the remaining 42 files referred to the OCHE under the Referral Pilot. The results of



the Referral Pilot have been reviewed with TCHC and the following findings were made: (1) that the majority of files received were for seniors, rather than the anticipated non-senior vulnerable tenants; (2) that there was very little difference between the Pilot and Comparator Groups when looking at the age of arrears or average amount of arrears of the files received; (3) that there was little difference between the Pilot and Comparator Groups when looking at the OCHE resolution methods, eviction avoidance rates, and the OCHE report timing; (4) that the Pilot provided TCHC with an excellent opportunity to strengthen awareness surrounding the specific underlying issues that lead to households falling into arrears, along with the various resolution methods and supports employed to arrive at housing stability; and (5) that although positive results were achieved for TCHC and the Tenants, the influx of files during the Pilot exceeded OCHE's staffing resources.

Based on the results of the Pilot, the OCHE and TCHC have agreed to revise the current referral process to increase referrals of seniors to the OCHE earlier in the process, and will continue to use the data collected during the Pilot to support TCHC's ongoing review of the RCS File Management System. A separate report on the results of the Referral Pilot has been prepared by Resident and Community Services, Asset Management and the OCHE, and will be received by the Resident Services Committee at the same meeting as this Quarterly Report.

Having delivered the highest number of arrears reports since the OCHE's inception certainly made for a challenging but rewarding quarter for the OCHE. While the OCHE continues to predominantly receive referrals for seniors, this has allowed the OCHE to continue to develop its expertise with seniors' issues. The role of the OCHE in working with vulnerable tenants continues to be an area that is being examined closely as part of the RCS review of the TCHC File Management System. The OCHE is looking forward to continuing its work in Q3 2017 to support TCHC and its tenants in avoiding evictions and achieving housing stability.

Sincerely,

Cynthia L. Summers
TCHC Commissioner of Housing Equity

PART 2: OCHE Arrears Reports and Recommendations in Q2

The OCHE completed its review and resolution efforts on 129 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
Q2 2017 (129)	113	16	107	22
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”)	10/22
TCHC Interim Criteria for Identifying Vulnerable Tenants	7/22
External Agencies or TCHC Staff outside above processes	5/22

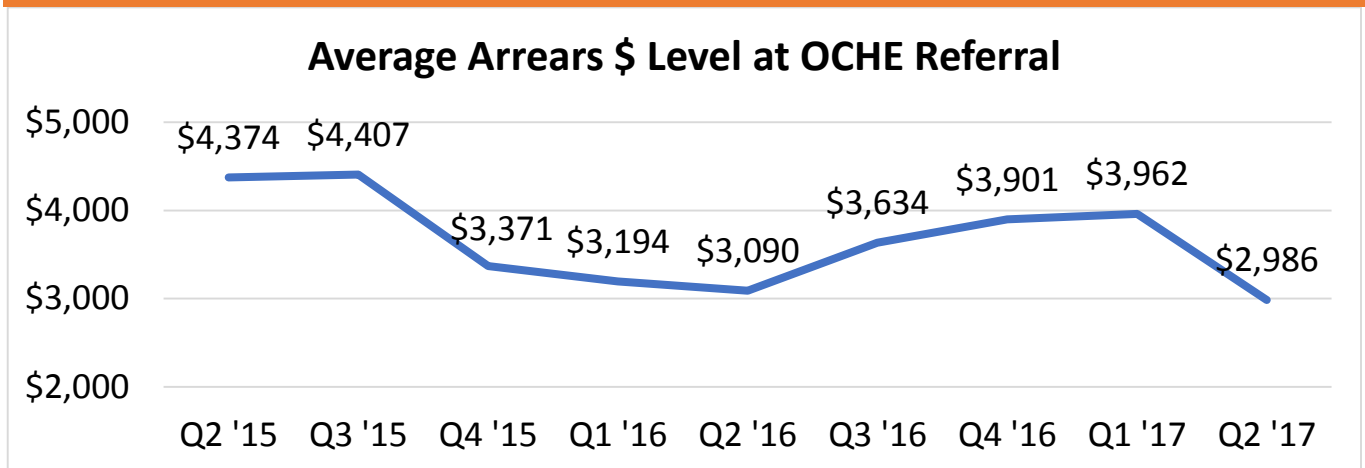
OCHE Engagement Levels

The OCHE has embraced a purposeful engagement model, “the OCHE Approach”, which has resulted in the OCHE being able to successfully engage with **96% (121/126)²** of the tenants whose reports were completed in Q2 2017. This engagement level is comparable to the 94.5% in Q1 2017 and 97% reported in both Q3 and Q4 2016.

¹ One file that was reported on in Q4 2016 was referred to the OCHE in error, being neither a senior nor identified as vulnerable.

² Three households were identified as having abandoned their units, and the OCHE did not include those households in the calculation of this statistic.

Level of Arrears at Referral to OCHE



Arrears Collection Process: N4³ and OCHE Referral Timelines

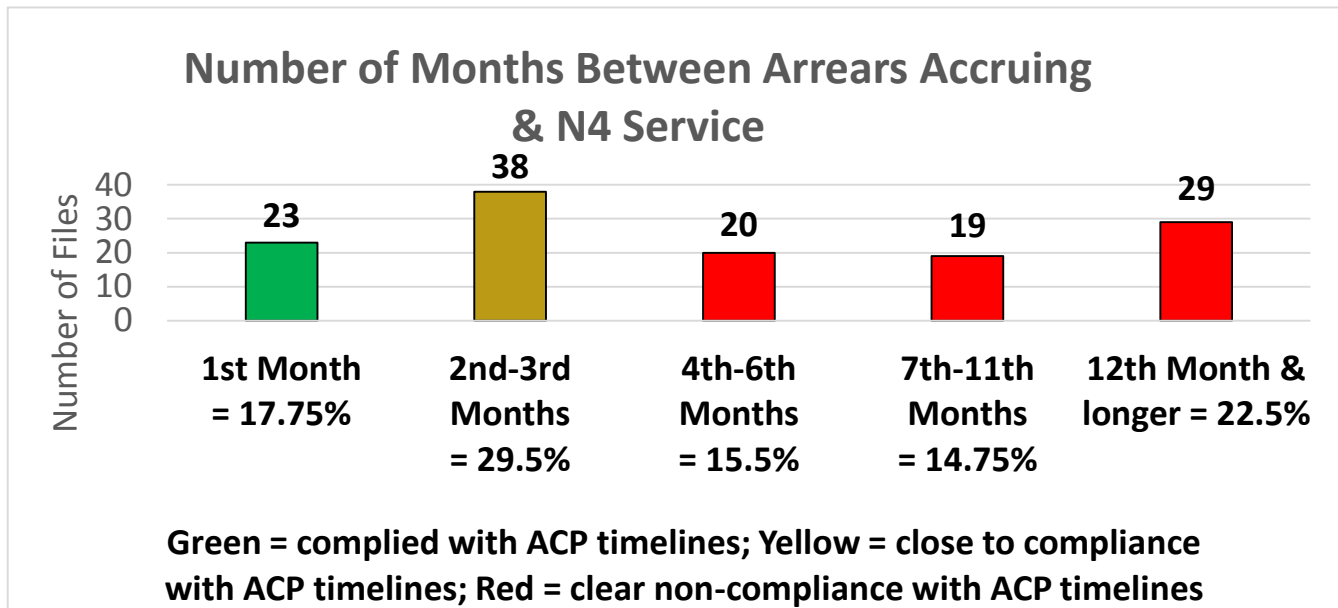
The OCHE has divided the application of TCHC’s current Arrears Collection Process into two main trigger points. The first measurement is for the timing of the service of the N4 in relation to when the arrears began⁴. The second measurement is for the timing of the referral to the OCHE after the N4 was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

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 Timelines

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



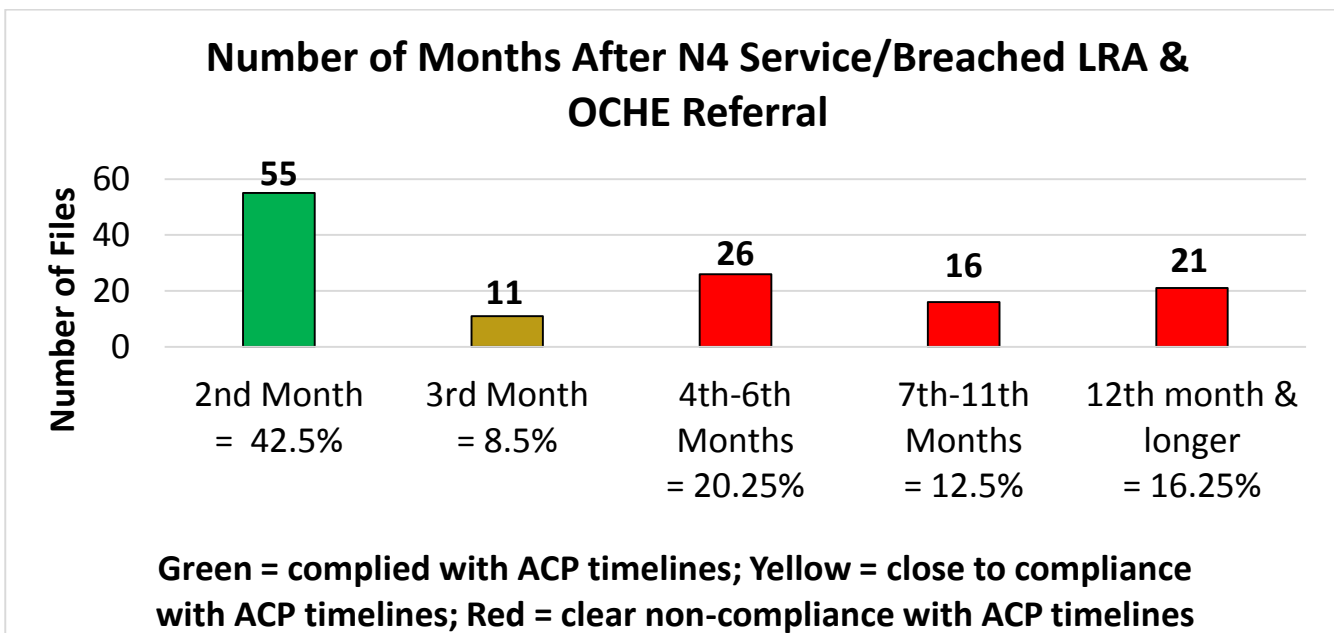
Quarter	1 st Month	2 nd -3 rd Months	4 th -6 th Months	7 th -11 th Months	12 th Month & Longer
Q2 2017 (129)	23 (17.75%)	38 (29.5%)	20 (15.5%)	19 (14.75%)	29 (22.5%)
Q1 2017 (52)	11 (21%)	16 (31%)	7 (13.5%)	6 (11.5%)	12 (23%)
Q4 2016 (56)	16 (28.5%)	16 (28.5%)	7 (12.5%)	4 (7%)	13 (23.5%)
Q3 2016 (59)	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%)

- 38/129 (29.5%) of the files upon referral to OCHE had Local Repayment Agreements previously entered between TCHC and the tenant, compared to 12/52 (23%) in Q1 2017.
 - 7/38 (18%) of these files had multiple Local Repayment Agreements compared to 3/12 (25%) in Q1 2017.
 - 6/38 (15.75%) of these Local Repayment Agreements were not formalized in writing compared to 3/12 (25%) in Q1 2017.

- 35/129 (27%) of the files had multiple N4s⁵ served on the tenant compared to 19/52 (37%) in Q1 2017.

OCHE Referral Timelines

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 N4⁶). In cases where TCHC enters into a Local Repayment Agreement, an unrepaired breach triggers the referral to the OCHE.



Quarter	2nd Month	3 rd Month	4 th -6 th Months	7 th -11 th Months	12 th Month & Longer
Q2 2017 (129)	55 (42.5%)	11 (8.5%)	26 (20.25%)	16 (12.5%)	21 (16.25%)
Q1 2017 (52)	24 (46%)	8 (15.5%)	10 (19%)	7 (13.5%)	3 (6%)

⁵ 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.

⁶ 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.



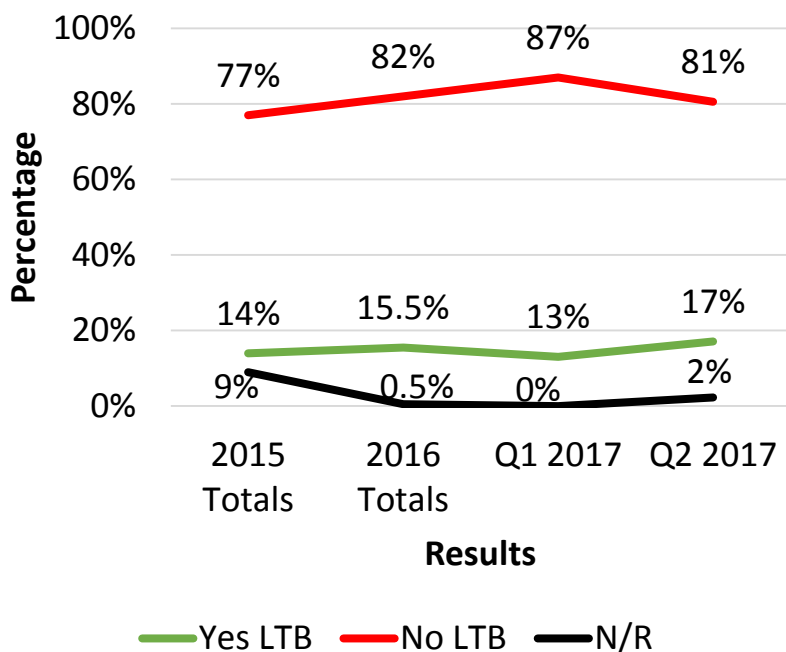
Q4 2016 (56)	19 (34%)	13 (23%)	13 (23%)	6 (11%)	5 (9%)
Q3 2016 (59)	33 (56%)	12 (20.5%)	11 (19%)	2 (3%)	1 (1.5%)
Q2 2016 (74)	36 (48.5%)	9 (12%)	18 (24.5%)	8 (11%)	3 (4%)
Q1 2016 (42)	5 (12%)	5 (12%)	19 (45.25%)	9 (21.5%)	4 (9.75%)
Q4 2015 (90)	37 (41%)	18 (20%)	21 (23.25%)	12 (13.5%)	2 (2.25%)
Q3 2015 (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

- 11/129 (8.5%) 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), compared to 9/81 (11.1%).

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
Q2 2017 (129)	20	2	90	14	3	0
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 82.5% (104/126⁷) of files completed during the reporting period. This resolution level is slightly less than the 87% in Q1 2017, 90.5% in Q4 2016 and 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.

Reporting Period	Within Timelines	Outside Timelines
Q2 2017⁸	119 (93%)	9 (7%)
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%)

⁷ The OCHE excluded the 3 households where Tenants were found to have abandoned their units.

⁸ One file was excluded from the OCHE timing, as it was referred to the Office of the Public Guardian and Trustee for a capacity assessment.

Of the 22 arrears files the OCHE recommended TCHC proceed with an Eviction Application

Below are the outcomes for the 22 arrears files in Q2 2017 where the Commissioner recommended to TCHC that they proceed to the Landlord and Tenant Board:

Proceeded to the LTB	Numbers
YES	18/22
NO ⁹	4/22

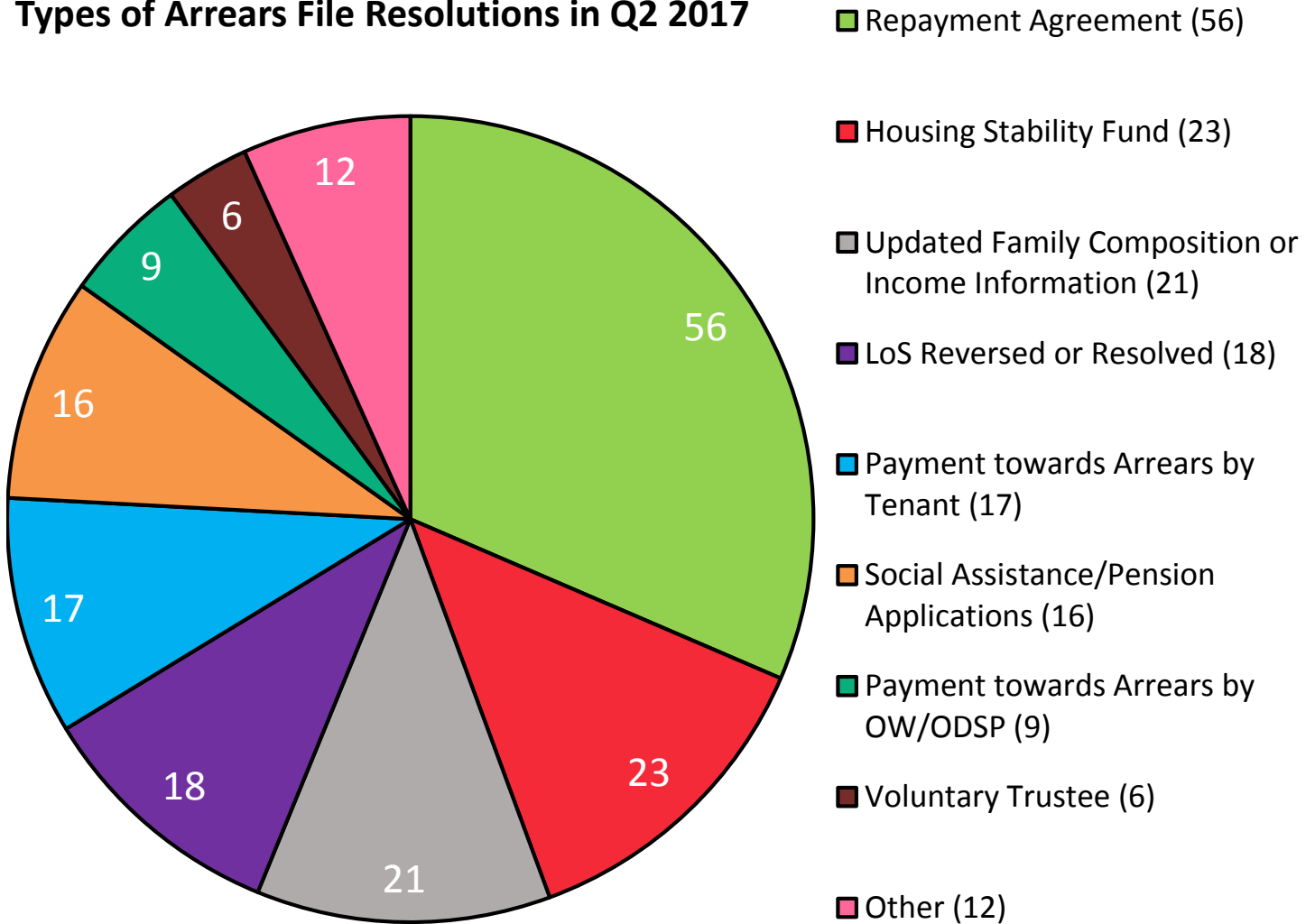
Outcome at the LTB	Numbers
Upcoming Hearing Dates	7/18
Eviction Orders – Granted	7/18
Eviction Orders – Sheriff Notice	1/18
LTB Mediated Agreements	3/18

⁹ In 2 instances, the Tenants signed a LRA with TCHC avoiding the need for a L1 Application, and in 2 instances TCHC has not yet proceeded with the L1 application (for 1 file TCHC had to re-serve the N4, the other had a condition that was not met by July 31, 2017).

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 Q2 2017



¹⁰ “Other” includes: Rogers Connected to Success (4), LEAP (Low-Income Energy Assistance Program) (2), Credit Counselling/Bankruptcy Trustee (2), Referral to the Office of the Public Guardian and Trustee (1), InSitu Applications (1), Rent Calculation Error (1) and Traced Misallocated Payment (1).

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 41% (43/105) of resolved arrears files this quarter.

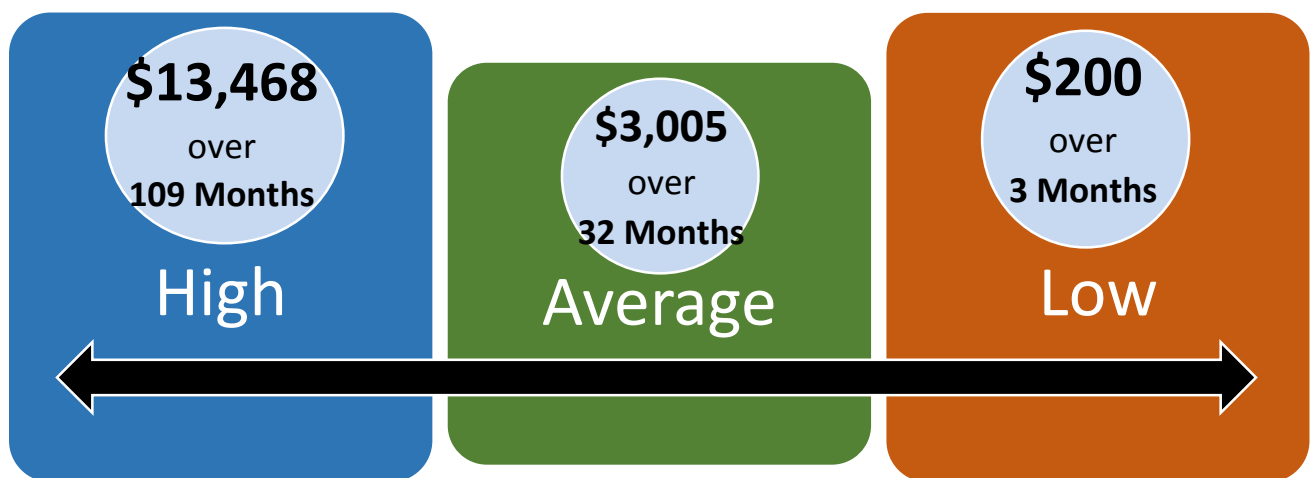
- These direct arrears payments to TCHC totalled \$46,028 this quarter, a significant increase from \$16,721 in Q1 2017 and \$18,366 in Q4 2016.

Direct Payment Source	Payment Amounts
Tenant/Family	\$11,089
Housing Stabilization Fund	\$25,941
Ontario Works/ODSP	\$8,998

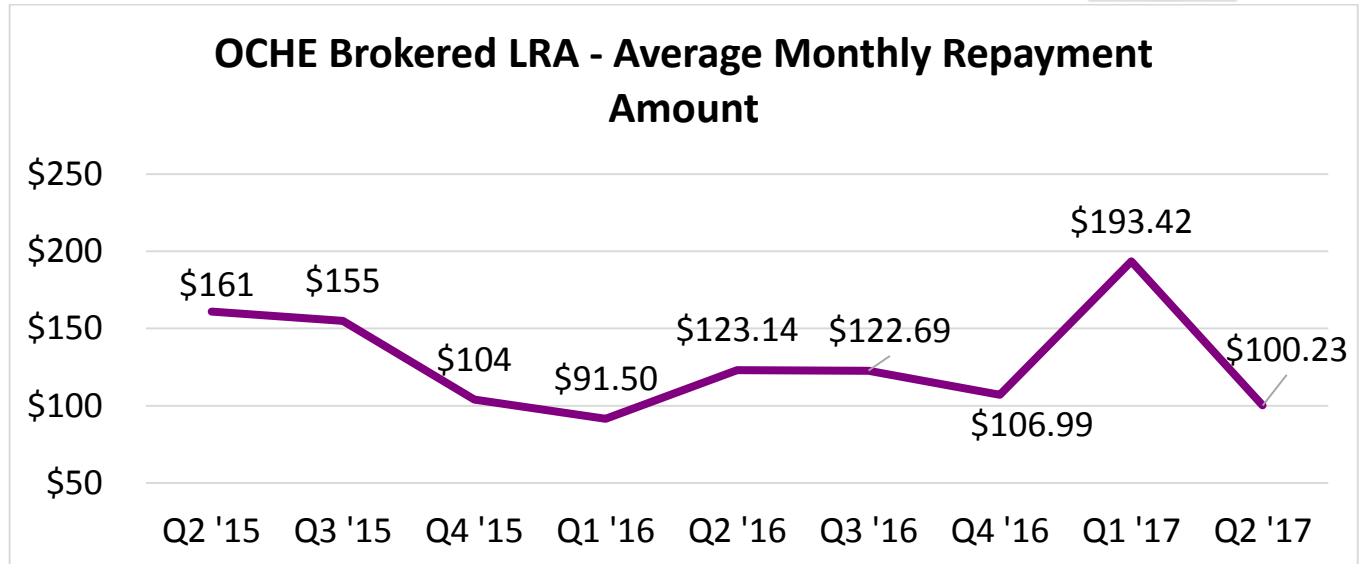
Local Repayment Agreements:

The OCHE brokered 56 Local Repayment Agreements this quarter.

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



The OCHE brokered Local Repayment Agreements covering \$168,304 in total arrears.



- The OCHE also reported on an additional 24 breached OCHE Brokered Local Repayment Agreement files in accordance with the Board approved process.

Summary Findings – Audit of Arrears Collection Process

In total, the OCHE found issues with the application of TCHC’s Arrears Collection Process (“ACP”) in 127/129 of the arrears files completed during this quarter.

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) (see chart on page 6); 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 (see chart on page 7).**

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

- **Errors with Letters Sent to Tenants as part of the Arrears Collection Process = 84.5% of files (109/129)**
 - 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 should not have been sent, 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.

- **Delay in Direct Contact Attempts = 58.25% of files (75/129)**
 - 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.

- **Non-adherence with TCHC's Documentation Standards = 36.5% of files (47/129)**
 - 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. This category includes cases where Legal Codes were not properly updated, Local Repayment Agreements were not made in writing, etc.

- **Multiple N4s (Notice to End a Tenancy Early for Non-Payment of Rent) = 27% of files (35/129)**
 - 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.

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 Legislation¹¹, City Guidelines¹² 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 the 30 calendar day timeline.

Loss of Subsidy Referrals

Reporting Period	Senior Referrals		Vulnerable Referrals	
	DM	CM	DM	CM
Q2 2017 (109) ¹³	97	8	2	2
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. This is largely due to impacts on the “Interim Criteria” (used for identifying vulnerable households at Loss of Subsidy for referral) after the implementation of the current File Management System.

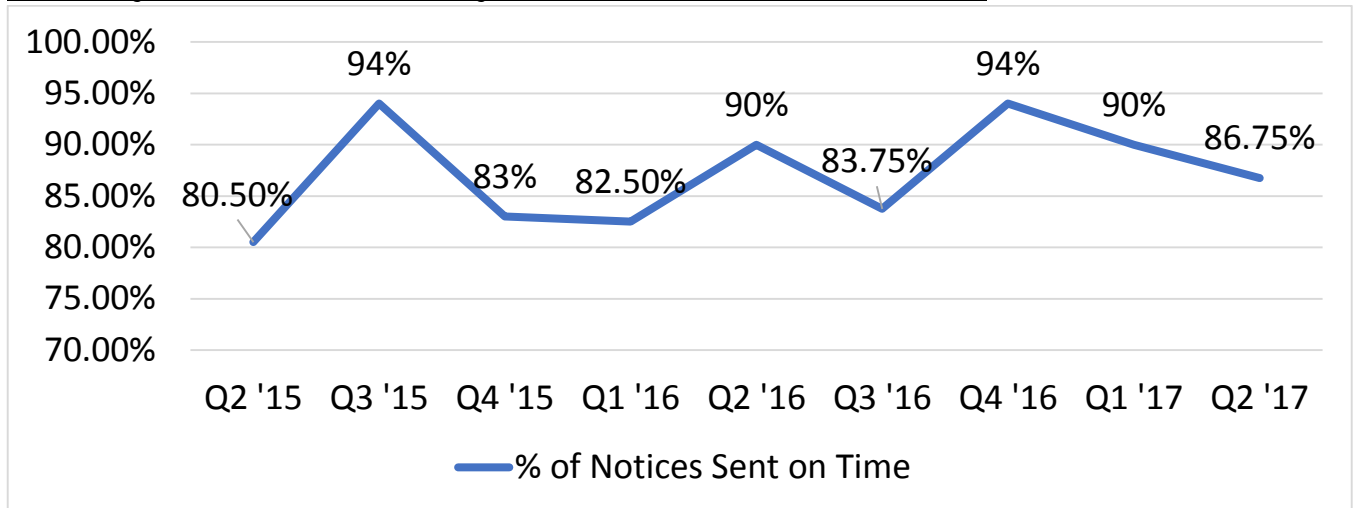
¹¹ The *Residential Tenancies Act, 2006*; and the *Housing Services Act, 2011*

¹² The City of Toronto’s *Rent-Geared-to-Income (RGI) Administration Manual*

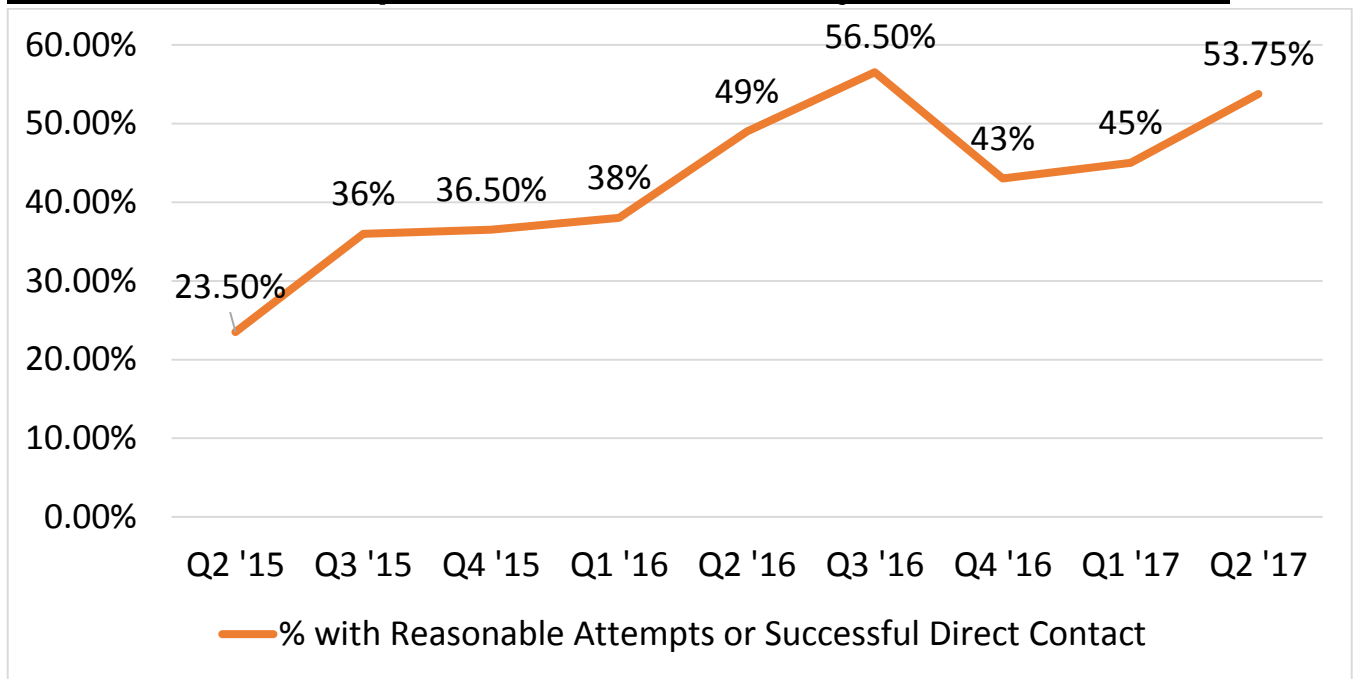
¹³ Due to the transition of Contract Management companies over some CM buildings during Q2 2017, AM advised that all LOS files may not have yet been referred to the OCHE. These referrals will be included in Q3 numbers for the purpose of the OCHE’s Quarterly Report.

Major LoS Audit Findings:

Delivery of Loss of Subsidy Notice of Decision on Time

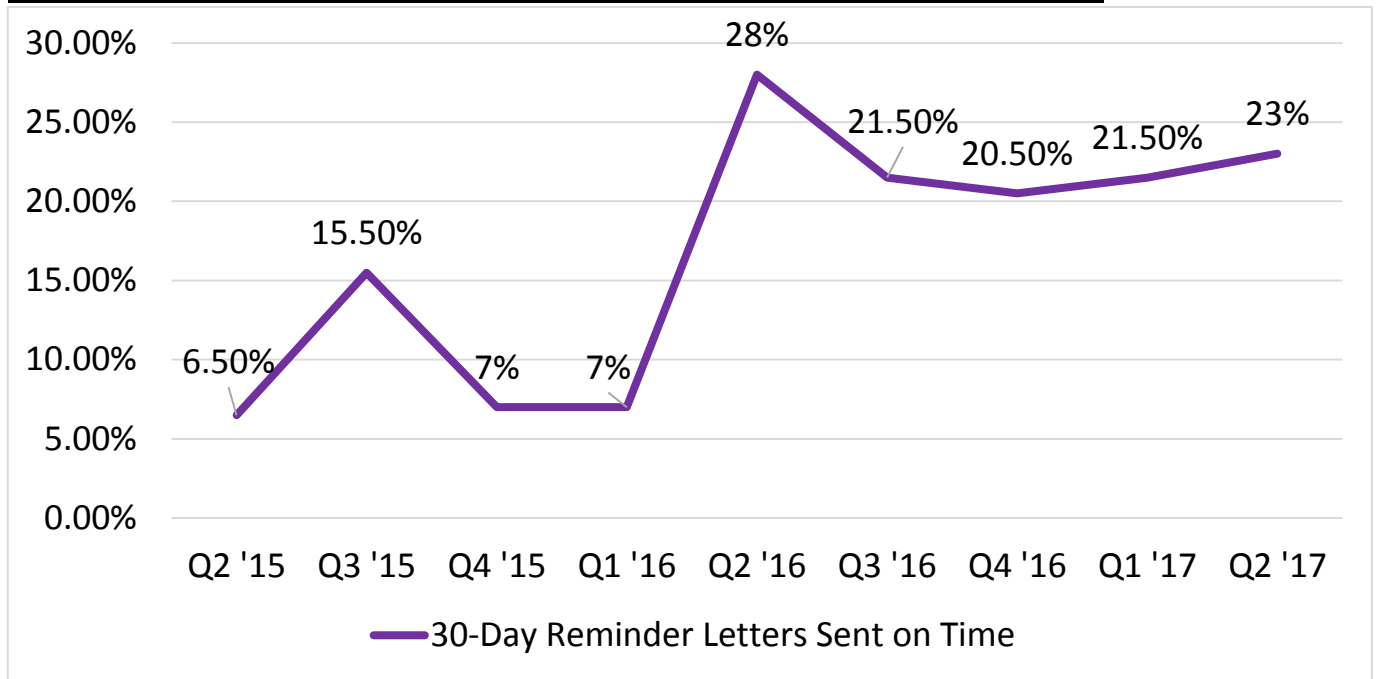


Direct Contact Attempts before Loss of Subsidy Notice is Delivered¹⁴



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.

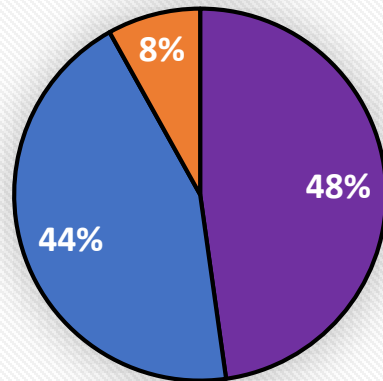
Delivery of Reminder Letters in Accordance with TCHC Policy



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

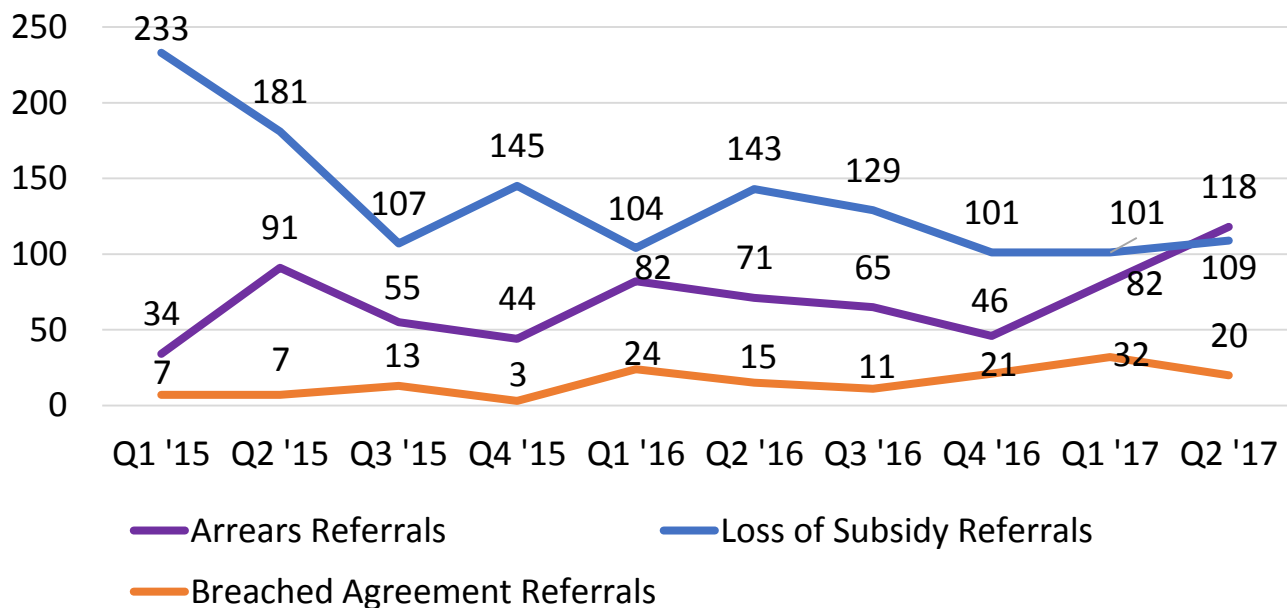
PART 4: Referrals to OCHE in Q2 2017¹⁵

OCHE by the Numbers April to June, 2017



- Arrears Referrals: 118 = 39.3/month
- Loss of Subsidy Audit Referrals: 109 = 36.3/month
- Breached Agreement Referrals: 20 = 6.6/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 Q2

Quarter	Referral Source		Referral Type	
	Direct Managed	Contract Managed	Senior	Vulnerable
Q2 2017 (118)	103	15	100	18
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 38 files were referred and opened during Q2 2017 under the Referral Pilot. These were for tenants who had been identified as potentially vulnerable and were to proceed through the RCS File Management System. Of these files 31 were for seniors in arrears who already form part of the OCHE mandate. An additional 11 files were referred under the Referral Pilot in Q1 2017.

PART 5: Case Studies

Case Study 1

A senior male Rent-Geared-to-Income (“RGI”) Tenant living in a Direct Managed property was referred to the OCHE in April 2017 facing the risk of eviction for arrears of rent. At the time of referral the Tenant had arrears totaling \$4,313.00, with a monthly rent charge of \$250.

The Tenant’s arrears began in June 2014 when the Tenant was charged retroactive rent due to the late reporting of his Canada Pension Plan Disability income to TCHC.

The Tenant Services Coordinator (“TSC”) spoke with Tenant in August 2015, who advised that he had forwarded the retroactive rent charge letter to his ODSP Caseworker. The TSC then spoke with the ODSP Caseworker who advised that ODSP would provide an additional \$100 per month toward the Tenant’s shelter portion to repay the arrears. The TSC brokered a Local Repayment Agreement (“LRA”) in October 2015, but it was breached by the Tenant the following month.

When the Early Resolution Officer (“ERO”) met with the Tenant upon referral to the OCHE in April 2017, the Tenant informed the ERO that he was not aware his arrears had increased as he understood his rent was being paid directly to TCHC by ODSP. The ERO contacted the Tenant’s LOFT Care Coordinator and his ODSP Caseworker, and through these conversations was able to identify that the Tenant’s ODSP pay direct had been accidentally cancelled in October 2015 and the Tenant had not been informed.

The ERO worked with the Tenant and assisted with the arrears by:

- Submitting a request to ODSP for the Housing Stabilization Fund (“HSF”). The HSF was approved and a payment of \$1,600.00 was sent directly to TCHC to reduce the arrears.
- Brokering a reasonable LRA with the Tenant and TCHC based on the Tenant’s financial circumstances. The LRA requires the Tenant to pay his monthly rent of \$250.00 plus an additional \$50.00 towards arrears, resulting in the arrears being paid by May 2022.
- Arranging to have the rent paid directly to TCHC by ODSP each month.
- Setting up a recurring payment at the Tenant’s bank for his monthly arrears repayment.



By alerting the Tenant that his arrears had increased, and by reaching out to ODSP to discover that the pay direct had been accidentally cancelled without the Tenant's knowledge, the ERO was able to reinstate ODSP's direct payment for the monthly rent. After successfully applying to the HSF to reduce the overall arrears amount from \$4,513.00 to \$2,913.00, the ERO was able to broker a LRA to allow the Tenant to repay the arrears through a monthly recurring payment at his bank. As a result, the Commissioner did not recommend proceeding with an Eviction Application to the Landlord and Tenant Board.

This case highlights the importance of referring arrears files to OCHE early, as this positive resolution could have been achieved sooner, relieving the Tenant of arrears that had amassed since the ODSP pay direct was accidentally cancelled a year-and-a-half ago.

Case Study 2

A vulnerable male Rent-Geared-to-Income ("RGI") Tenant living in a Direct Managed property was referred to the OCHE in April 2017, facing the risk of eviction for arrears of rent. At the time of referral he had arrears totaling \$4,274.00, with a monthly rent charge of \$252.00.

The Tenant's arrears began in December 2015, when his Pre-Authorized Payment ("PAP") for rent was returned due to Non-Sufficient Funds ("NSF"). The monthly rent continued to be returned NSF each month up until the time of referral to the OCHE. In May 2017, the Tenant received a *Notice of Decision: Loss of Subsidy ("LOS")* for not completing his Annual Rent Review ("AR"), which would result in his monthly rent increasing to Market Rate effective September 1, 2017.

The Tenant Services Coordinator made efforts to reach the Tenant, and when no response was received, enlisted the help of the Superintendent to door knock. Ultimately this file was referred to a Community Services Coordinator, who called the Tenant and attended at their unit but was also unable to reach the Tenant before the file was referred to the OCHE.

When the OCHE received the file in April 2017, the Early Resolution Officer ("ERO") was able to track down the Tenant's whereabouts by speaking with his Canadian Mental Health Association ("CMHA") Caseworker, who in turn provided the contact information for the Tenant's Lawyer. The Tenant's Lawyer confirmed

the Tenant was currently in custody awaiting trial, and advised the ERO on how to set up a meeting with the Tenant at the detention centre.

The ERO met with the Tenant at the detention centre, who explained his challenges in paying his monthly rent and accessing the income verification documents needed to complete his AR while incarcerated. He advised the ERO that after his trial in October 2017 he wished to return to his unit.

The ERO was able to support the Tenant by:

- Brokering a reasonable Local Repayment Agreement (“LRA”) between TCHC and the Tenant for the arrears. The LRA requires the Tenant to pay his monthly rent of \$252.00, plus an additional \$100.00 towards the arrears, resulting in the arrears being paid by July 2021;
- Collecting and submitting a letter to TCHC to stop the Tenant’s PAP, and advising the Tenant how to pay the full monthly rent and arrears repayment amounts by telephone banking while he is incarcerated; and
- Speaking with the Operating Unit Manager (“OUM”) to secure an agreement to extend the effective date of the LOS, allowing the Tenant the opportunity to submit the AR and income documents after his anticipated release in October 2017.

By using the information available in the file, the ERO was able to determine the whereabouts of the Tenant and to meet with him at the detention centre. When meeting with the Tenant, the ERO was able to inform him of the issues surrounding his rental arrears, his outstanding AR, and the pending LOS. The ERO was then able to broker a LRA, facilitate the Tenant’s ability to pay his rent and arrears while detained, and extend the effective date of the LOS to the Tenant’s anticipated release date from the detention centre. As a result of the above, the Commissioner did not recommend proceeding with an Eviction Application to the Landlord and Tenant Board.

Case Study 3

A senior female Rent-Geared-to-Income (“RGI”) tenant living in a Direct Managed property with her two adult sons was referred to the OCHE in February 2017 facing the risk of eviction for arrears of rent. The Mother’s income was from the Canada Pension Plan (“CPP”) and the sons’ income was from the Ontario Disability Support Program (“ODSP”). At the time of referral the Tenants had



arrears totaling \$2,632.00, and at the time were being charged monthly rent at the Market Rate of \$1,413.00.

The household had lost their RGI subsidy in November 2016 for the non-return of the Annual Income and Asset Review form (“AR”), resulting in their rent increasing from \$732.00 to \$1,413.00. The Tenants’ arrears began to accumulate the same month they lost their subsidy. Although they continued to pay their previous RGI rent amount, the difference between the RGI rate being paid and Market Rent being charged, resulted in the Tenants’ arrears accumulating.

Between November 2016 and January 2017, the Tenant Services Coordinator (“TSC”) sent numerous letters and spoke to the Tenants on four occasions, requesting that the Eldest Son submit his income verification documents for the outstanding AR. The TSC also made efforts to obtain the needed documentation directly from his ODSP Caseworker. In December 2016, the Tenants were referred to a Community Service Coordinator (“CSC”) for additional assistance. The CSC had four telephone conversations with the Tenants, requested a Tenancy Management Meeting (which the Tenants did not attend) and also tried to enlist assistance from the Younger Son to help his brother in acquiring the missing documentation. Nonetheless, the Tenants remained at a Loss of Subsidy and the arrears continued to grow.

When the Early Resolution Officer (“ERO”) met with the Tenants in February 2017, the Mother advised that she was overwhelmed with the demands of caring for her sons who had been diagnosed with severe mental health issues and were vulnerable. The Mother also reported struggles with keeping the documents necessary for completing the AR organized and challenges in dealing with financial issues with her sons.

The ERO supported the Tenants by collecting the Eldest Son’s missing documents from his previous employers, ODSP Caseworker and Canadian Mental Health Association – Employment Support Worker, attending a meeting at Service Canada to obtain the Eldest Son’s 2015 and 2016 proof of income documents, completing the AR, and submitting it to TCHC. These actions allowed the RGI subsidy to be reinstated, resulting in the arrears decreasing from \$3,270 to \$568. The Tenants agreed to pay the remaining \$568 of arrears by April 2017, and with that condition being met, the Commissioner did not recommend proceeding with an Eviction Application to the Landlord and Tenant Board.

This case emphasizes the importance of engaging directly with Tenants and understanding the difficulties that some Tenants face; in this case a senior single



mother struggling to support her 2 adult vulnerable children. Providing additional assistance to these Tenants early in the process, in this case before the Loss of Subsidy became effective, may have prevented the high level of arrears that accumulated thereafter and lessened some of the struggles this household was facing.