

# Toronto Seniors Housing Corporation

## Toronto Seniors Housing Corporation Quality and Tenant Engagement Committee Meeting

Topic: OCHE Update – January 1 to March 31, 2023

Item #11

Date: May 3, 2023

**Report: QTEC: May 9, 2023, #11**

**To:** Quality and Tenant Engagement Committee

**From:** Interim Commissioner of Housing Equity

**Date:** May 3, 2023

**Purpose:**

To provide the QTE and the Board of Directors with the Office of the Commissioner of Housing Equity's ("OCHE") update for the period of January 1, 2023 to March 31, 2023.

**Recommendation:**

It is recommended that the Quality Tenant Engagement Committee review and receive this Report for information and forward it to the Board for information.

**Reason for Recommendation:**

This Report highlights the OCHE's case management, audit, and policy work through the period of January 1 to March 31, 2023, and focuses on the work metrics as outlined in the TCHC Board-approved 2023 OCHE Work Plan.

This report is the third OCHE Report to be reviewed by the Toronto Seniors Housing Corporation ("TSHC") QTE Committee. Data for this period has been compared to the first part the following periods: January 1 to May 30, 2022, June 1 to October 1, 2022 and October 2 to December 31, 2022.

# Toronto Seniors Housing Corporation

## Introduction:

This report contains a summary of the referrals received and the audit findings which were obtained through the audit of individual files. It also discusses the theme-based audit categories the OCHE uses to classify process errors. For reference, please find the theme based audit categories described in Appendix 1.

### 1.1 Referrals by Region

The following chart shows the number of referrals to the OCHE. These numbers represent all referrals. In this period, four files were returned to TSHC without an OCHE review<sup>1</sup>.

Region	January 1 - May 30, 2022	June 1 – October 1, 2022	October 2 – December 31, 2022	January 1 – March 31, 2023
OU O (NW)	22	5	7	6
OU N (SE)	8	13	4	23
OU Q (SW)	11	11	6	7
OU P (NE)	9	4	10	24
Seniors Housing Unit Total	50	33	27	60

### 1.2 Arrears at the Time of Referral

The OCHE captures data related to the amount of arrears at the time of referral, and the number of months the tenant has been in arrears of rent prior to the OCHE referral. The Arrears Collection Process was designed with an aim to identify tenants who are in arrears

---

<sup>1</sup> Four files were returned to TSHC for the following reasons: The tenant passed away, the tenant abandoned the unit, the tenant's arrears were below \$186 (the threshold for TSHC to make an L1 Application to the LTB) and TSHC requested that one file be returned so they could continue working on it.

## Toronto Seniors Housing Corporation

early, to attempt to resolve those arrears within the first and second month, and if unsuccessful, to refer the file to the OCHE before the arrears grow significantly. The OCHE referral represents one last attempt to resolve the arrears with the tenant or, if the OCHE is unable to resolve the arrears, to make the recommendation that an *Application to evict a tenant for non-payment of rent and to collect rent the tenant owes* (“L1 Application”) be made at the Landlord and Tenant Board.

The following chart presents the arrears at the time of referral to the OCHE and demonstrates the variance between the new and old ACP.<sup>2</sup> There were 10 files that fell under the old ACP and 28 files that fell under the new ACP for this reporting period.

	<b>January 1 - May 30, 2022</b>	<b>June 1– October 1 2022</b>	<b>October 2 – December 31, 2022</b>	<b>January 1 – March 31, 2023</b>
<b>Average Arrears at Time of First N4</b>	\$1,339	\$1,508.00 <i>Old ACP: \$1,834</i> <i>New ACP:\$1,247</i>	\$3,624.45 <i>Old ACP: \$6,868.44</i> <i>New ACP: \$1,378.62</i>	\$1,432.38 <i>Old ACP: \$2,312.22</i> <i>New ACP: \$1,149.57</i>
<b>Average Arrears at Time of Referral</b>	\$2,154	\$3,580.00 <i>Old ACP: \$5506</i> <i>New ACP:\$2039</i>	\$6,795.43 <i>Old ACP: \$12,369.80</i> <i>New ACP: \$2,507.46</i>	\$2,353.36 <i>Old ACP: \$3,755.50</i> <i>New ACP: \$1,852.60</i>
<b>Average Month Of Referral to OCHE After Arrears Started Accumulating</b>	12 Months	21 Months <i>Old ACP: 41 months</i> <i>New ACP: 7 months</i>	16 Months <i>Old ACP: 27 months</i> <i>New ACP: 7 months</i>	11.7 Months <i>Old ACP: 23.4 months</i> <i>New ACP: 7.53 months</i>

<sup>2</sup> Arrears which began to accumulate prior to June 28, 2021 fell under the old ACP for auditing purposes. Arrears which began to accumulate after this date fell under the new ACP for auditing purposes.

# Toronto Seniors Housing Corporation

## 2.0 Recommendations as Reported Through Case-Specific Audit Reports

While working with individual tenants to avoid eviction and identify underlying issues, the OCHE conducts an audit to ensure compliance with the Arrears Collection Process, Eviction Prevention Policy and applicable legislation. At the conclusion of this work, the OCHE issues a report containing tenant-specific and procedural recommendations.

It should be noted that going forward, the OCHE will be uploading their audit findings to a cloud-based server which will be shared between TSHC and the OCHE. This will allow for real-time updates regarding the audit process and will help TSHC identify trends earlier to provide support to staff as needed.

The following chart shows the number of reports issued and the number of recommendations made.

	January 1 - May 30, 2022	June 1 – October 1, 2022	October 2 – December 31, 2022	January 1 – March 31, 2023
Number of Recommendation Reports	62	28	23	38
Number of Recommendations	137	61	56	78

# Toronto Seniors Housing Corporation

## 2.1. Administrative Delays and Inefficient Use of Resources

The chart below outlines the OCHE's recommendations related to administrative delays and inefficient use of resources:

<b>Commissioner's Recommendations regarding Administrative Delays and Inefficient Use of Resources</b>	<b>Jan 1 – May 30, 2022</b>	<b>June 1 – Oct 1, 2022</b>	<b>Oct 2 – Dec 31, 2022</b>	<b>Jan 1 – Mar 31, 2023</b>
Serve the Notice to Terminate the Tenancy in accordance with Arrears Collection Process timelines	72% (45/62)	71% (20/28)	65% (15/23)	58% (22/38)
Make direct contact with the tenant in the first month of arrears	48% (30/62)	28% (8/28)	30% (7/23)	53% (20/38)
Send the Notice to Terminate the Tenancy once /do not send multiple Notices to Terminate the Tenancy	13% (8/62)	21% (6/28)	26% (6/23)	13% (5/38)
After finding an error in the Notice to Terminate the Tenancy, issue a new one within the Arrears Collection Process timelines	>1% (1/62)	0	16% (4/23)	13% (5/38)

In reviewing the findings under this category, the most significant is related to the service of the N4. The ACP requires the N4 to be served in the first month of arrears and to be accompanied by a letter of explanation to the tenant that includes an invitation to discuss the missed rent payment with staff. The Commissioner made the recommendation to serve the N4 according to the ACP in 22/38 instances during this period which has improved from the previous reporting period by 7.3%. There has been a consistent improvement over the past three periods.

# Toronto Seniors Housing Corporation

## 2.2 Non-Compliance with Policies and Procedures

This category includes issues related to failure to comply with internal policies and procedures, specifically those related to the Eviction Prevention Policy, Arrears Collection Process, Loss of Subsidy Process and applicable legislation. Of the files that the OCHE received, there were no significant findings in this category.

## 2.3 Unreliable Internal Information

This category includes issues related to documentation, which includes missing information; notes recorded late, no indication of follow through for staff or the tenant included in the notes. Of the files the OCHE received, there were no significant findings in this category.

## 2.4 Quality of Service

This category covers the need for assisting tenants to stabilize their tenancies through additional supports. These may include: engaging external stakeholders such as caseworkers, family members, interpreters, income tax clinics, as well as internal supports such as Senior Services Coordinators. The OCHE can only make these recommendations after working with the Tenant and not as part of the ACP audit findings.

<b>Commissioner's Recommendations Regarding Quality of Service</b>	<b>Jan 1 – May 30, 2022</b>	<b>June 1 – Oct 1, 2022</b>	<b>Oct 2 – Dec 31, 2022</b>	<b>Jan 1 – Mar 31, 2023</b>
Reach out to tenants' caseworkers or families should they get into arrears of rent	27% (17/62)	25% (7/28)	25% (6/23)	37% (14/38)

In 14/38 instances, the ERO identified a support person that TSHC may contact should issues arise with the tenancy in the future.

# Toronto Seniors Housing Corporation

## 3.0 Breached OCHE-Brokered Local Repayment Agreements

When the ERO works with a tenant to negotiate a Local Repayment Agreement to address the arrears of rent, they first discuss financial literacy with the tenant and complete a budgeting tool, however some tenants will still breach their agreements.

When a tenant breaches an OCHE brokered Repayment Agreement, it is expected that staff will reach out to the tenant after the first missed payment, and then re-refer the file to the OCHE.

When the OCHE receives a Breach File, the Early Resolution Officers are tasked with determining whether exceptional circumstances existed warranting a new Repayment Agreement. If there are no exceptional circumstances, the OCHE will report back to TSHC and recommend that they may proceed to file an L1 Application at the LTB.

The following chart describes the breach referrals received.

<b>Breach Files</b>	<b>January 1- May 30, 2022</b>	<b>June 1 - October 1, 2022</b>	<b>October 2 - December 23, 2022</b>	<b>January 1 – March 31, 2023</b>
Total Breach Referrals	12	2	8	20 <sup>3</sup>
No Exceptional Circumstances	10	1	7	9 <sup>4</sup>
Breach Reports issued	2	1	1	1
Average month of referral to OCHE after breach	2.08 months	2.63 months	11.4 months	10.14 months
Average month of actual breach	19 months	3 months	1.18 months	3.16 months

<sup>3</sup> At the time of writing, there were 10 files being worked on which will be closed in a future reporting period.

<sup>4</sup> 8 of these files had no exceptional circumstances and it was recommended that TSHC pursue an L1 application at the LTB. 1 file was found to not be in breach as the tenant's arrears payments had been credited to the wrong account.

## **Toronto Seniors Housing Corporation**

From our sample size of 20 files, the average length of time it took for files to be referred to the OCHE was 10.14 months; however, the breach itself occurred in the third or fourth month of the agreement. This gap is not ideal as it could lead to arrears accumulating further.

During this period of time, the OCHE conducted a tenant survey of all tenants who breached their OCHE brokered agreement. The purpose of this survey is to determine what may have prevented the breach. We will continue to collect this data throughout 2023; and the results will be presented in our final Quarterly Report for 2023.



# Toronto Seniors Housing Corporation

## 4.0 OCHE Case Management Highlights

The OCHE captures data related to the EROs' engagement rate. The engagement rate is determined based on the number of tenants who elect to work with the ERO. The chart below demonstrates the number of tenants willing to work with the EROs and the number of those tenants who were able to avoid a referral to the LTB as a result of that work.

	<b>Jan 1- May 30, 2022</b>	<b>June 1 - Oct 1, 2022</b>	<b>Oct 2 – Dec 23, 2022</b>	<b>Jan 1 – Mar 31, 2023</b>
<b>Engagement Rate</b>	87% (54/62)	86% (24/28)	96% (22/23)	97% (37/38)
<b>Avoided the need for eviction</b>	87% (47/54)	88% ( 21/24)	87% (20/23)	89% (33/37)

# Toronto Seniors Housing Corporation

## 4.1 Arrears Managed

In the current period, the OCHE recovered \$101,648.81 mainly by managing arrears through Repayment Agreements. In this period, four tenants paid their arrears in full after engaging with the ERO<sup>5</sup>.

	January 1, – May 30, 2022	June 1– October 1, 2022	October 2 – December 23, 2022	January 1 – March 31, 2023
Ontario Works/Ontario Disability Support Program's Housing Stabilization Fund	\$0.00	\$159.00	\$556.00	\$5,430.00
OCHE Brokered Repayment Agreements	\$88,163.68	\$81,143.00	\$109,927.00	\$79,768.81
Direct Payments received from Tenant/Tenants' Family	\$0.00	\$0.00	\$3,902.00	\$7,107.00
Reversing Loss of Subsidy	\$0.00	\$0.00	\$0.00	\$8,525.00
Annual Review completed	\$0.00	\$0.00	\$0.00	\$818.00

### Conclusion:

This report provided an analysis of the referrals received from TSHC between January 1 and March 31, 2023 and includes a discussion related to the case management of files. Our next report will cover the second Quarter of 2023. The OCHE will continue to use the same theme-based audit categories when reporting.

---

<sup>5</sup> Arrears payments totaled \$5,552.00

# Toronto Seniors Housing Corporation

## Next Steps:

The OCHE and TSCH management have been working together to create and implement a monthly auditing tool that will identify issues by Region. We are happy to report that this tool went live on April 13, 2023 and the OCHE and TSHC will monitor its effectiveness over the next quarter of 2023.

This tool is a cloud-based server, which will be shared between TSHC and the OCHE. This new tool will allow for real-time updates regarding the audit process between OCHE and TSHC and will help TSHC to identify trends as they occur and provide support and training to their staff as needed.

## Implications and Risks:

The OCHE provides the Board with oversight of TSHC's operations related to evictions due to arrears of rent and ensures that tenants avoid eviction where possible. The OCHE reports regularly on its activities and TSHC's performance in the areas within OCHE's jurisdiction. This regular reporting by the OCHE ensures the Board is aware of the OCHE's activities taken on its behalf and that they continue to align with the goals of the Board and TSHC.

## Signature:

*"Melanie Martin"*

---

Melanie Martin  
Interim Commissioner of Housing Equity

## Staff Contact:

Melanie Martin, Interim Commissioner of Housing Equity

437-997-3687

[melanie.martin@oche.ca](mailto:melanie.martin@oche.ca)

# Toronto Seniors Housing Corporation

## Appendix 1

Theme-based audit categories are summarized in the chart below.

<b>THEME-BASED SYSTEMIC AUDIT RECOMMENDATIONS</b>	
<b>1. ADMINISTRATIVE DELAYS AND INEFFICIENT USE OF RESOURCES</b>	Administrative delays and inefficient use of resources create unnecessary costs to the organization, in particular: added time in which arrears are allowed to accumulate, reduced customer service levels, and inhibited workflows.
<b>2. NON-COMPLIANCE WITH POLICIES AND PROCEDURES</b>	Failure to comply with internal policies and procedures, specifically those related to the Eviction Prevention Policy, Arrears Collection Process, Loss of Subsidy Process and applicable legislation ( <i>Residential Tenancies Act, 2006, Housing Services Act, 2011</i> ) presents a liability to the organization and inequitable service to tenants.
<b>3. UNRELIABLE INTERNAL INFORMATION</b>	TSHC has guidelines for recording information using internal databases, such as HMS, EasyTrac, and HoMES. Not following these guidelines can lead to inaccurate and unreliable information, interrupted workflows, and reduced trust in TSHC staff.
<b>4. QUALITY OF SERVICE</b>	Quality of service is vital for relationship building with tenants, fostering positive living environments, and ultimately keeping tenants housed.