

Manitoulin-Sudbury District Services Board POLICY & PROCEDURES MANUAL	
Section: I. Social Housing	Effective: December 1, 2010
Topic: I.4. Tenant Policies	
Subject: 4.5. Internal Review Committee and Process	
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POLICY

The Manitoulin-Sudbury District Services Board's Housing Providers will address requirements for Internal Reviews by establishing an Internal Review Committee that operates in accordance with the following:

The Social Housing Reform Act (2000) and provincial regulations give applicants to RGI assistance, RGI tenants and tenants with special needs the right to ask for a review of certain decisions that might be made by the Manitoulin-Sudbury District Services Board (hereinafter referred to as "DSB") or other Housing Providers. The DSB and all Housing Providers must implement an Internal Review Policy and Procedures that meet the requirements for such activity as outlined in legislation.

Composition:

The Internal Review Committee membership will include all participating Housing Providers. Each meeting of the Committee will involve a revolving attendance which will include one qualified representative from at least three Housing Providers. None of the three will be a representative from the Housing Provider whose decision is to be reviewed at that given meeting. One of the three attendees will represent the DSB (Service Manager) at all meetings, unless it is a DSB decision which is being reviewed. In all other instances, the DSB attendee will assume the role of Chair at the meeting.

Mandate:

Internal Review Policy as required by Social Housing Reform Act (Sections 80 through 84) and Ontario Regulation 298/01 (Sections 55 through 59) as it applies to all tenants currently in receipt of a rent subsidy.

1. The committee will handle tenant or applicant requests for reviews of the following types of decisions:
 - If the household is refused a place on the centralized waiting list,
 - If the household is refused special priority status,
 - If the household is taken off the centralized waiting list,
 - If the household loses its RGI subsidy,
 - If the household believes their RGI subsidy has been calculated incorrectly, or based on the wrong information,

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- If the household is declared over-housed,
 - If the household is not offered a unit when the household is next on the waiting list,
 - If the household is refused a place on the special needs waiting list (where applicable).
2. The committee will not make decisions which are contrary to the law, or clearly against the spirit or the intent of board-approved policies. It will, however, consider exceptional circumstances which may not have been considered when the policies were made.
 3. The committee will treat all applicants and tenants equitably.
 4. The committee will also consider the impact of its decisions on the appellant, other tenants or applicants, on staff, and on the well-being of the community housing program.

PROCEDURE

Regardless of the actual day of the week that Providers issue notice of their decision, and thereby provide their tenants an opportunity to request an Internal Review, the letter should note that the LAST DAY a tenant may submit a written request for said review is the 10th business day from the date of the notification.

On receipt of a request for an Internal Review, the Provider will contact the DSB Social Housing Program Supervisor immediately, in the manner outlined in **Setting the Agenda, 1.**, as follows.

Meetings will be scheduled on Wednesdays at 2:00 p.m. or within reason, as requested by tenants wishing to make an appearance. The scheduled attendees will be contacted by the DSB by close of business on the Friday prior to the meeting date, to confirm their Request for a Review has been received, and to confirm the time, date and attendance of the attendees at the next regularly scheduled meeting. The DSB Members, in conjunction with the Provider who has received the request for an Internal Review, and the scheduled meeting attendees, will determine the location and format of the meeting. If appropriate, the meeting could be held by conference call. Alternatively, the meeting will be held, in person, at the Manitoulin-Sudbury DSB office located at 210 Mead Blvd in Espanola.

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Setting the Agenda:

1. When the Housing Provider receives a written request for review, she/he will complete the Request for Review Form and attach it to the appellant's letter. It will be faxed, along with any other relevant documentation used to make the original decision, to the attention of the Manitoulin-Sudbury District Service's Housing Program Supervisor. DSB staff will make a copy of all documents for each committee member, which will be distributed in advance or at the meeting, as appropriate, based on volume of documents.
2. The Housing Provider will also notify the appellant when their case will be heard. If appellants wish to appear before the committee, the committee will schedule their appearance at half-hour intervals, starting at times as assigned. The Housing Provider will be responsible for communicating the time of the appellant's scheduled appearance to the appellant.

Review Process:

Request for Review:

1. The committee will consider any requests for review submitted up to the Wednesday of the week preceding the regularly scheduled monthly Manitoulin-Sudbury DSB meeting. The committee can consider whether to accept requests received late, or whether to defer the decision to the next meeting.
2. The committee will operate by consensus.
3. Appellants may bring a translator, family members, friends or other advocates of their choice. The committee may limit the number of advocates.
4. The Housing Provider may also attend the meeting to present information.
5. Decisions will be made in closed sessions, and will be communicated to the Housing Provider, as outlined below.

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6. Following the meeting, the Chair will complete a Decisions Form (attached) for each appellant, documenting the decisions made, and the reasons for the decision. These forms will be faxed or otherwise communicated to the Housing Provider the day after the meeting.

7. The Housing Provider will inform the appellant of the decision within five business days of the meeting. She/he will also place one copy of the Decisions Form into the internal review file, and one copy in the tenant's file.

REFERENCES:

Social Housing Reform Act – Section 80-84
 Ontario Regulation Act 298/01 Sections 55-59

Request for Review form 4.5a
 Notice of Decision form 4.5b