

*Britannia Glen Co-operative Homes Inc.*

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*Housing Charge Subsidy By-law*

*By-law # 7*

Date Approved by the Board of Directors:      March 11, 1993

Date Confirmed by the Members:              August 12, 1993

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### **By-law # 7**

### **Housing Charge Subsidy By-law**

The Co-op gets funds from the provincial government to help Co-op members pay their monthly housing charges. These funds are called housing charge subsidy ("Subsidy").

Members receive subsidy according to an Agreement between the Co-op and the provincial government.

### Terms used in this By-law

- (a) "Household" means all persons who live in a unit or who have the unit as their principal home. It does not include casual guests. They do not contribute to household costs and are allowed as guests under the Co-op's Occupancy By-law.
- (b) The Co-op calculates the housing charge for "fully-serviced accommodation" by following the steps in the Ministry of Housing's "FEDERAL-PROVINCIAL NON-PROFIT HOUSING PROGRAM ADMINISTRATION" binder. For a definition of this term, see Schedule "A."
- (c) The "FEDERAL-PROVINCIAL NON-PROFIT HOUSING PROGRAM ADMINISTRATION" binder defines "Adjusted monthly household income."
- (d) "Shallow" and "Deep" refer to the subsidy mix the Ministry of Housing wants to have at the Co-op. Article 6 of this By-law explains these terms.
- (e) "MOH" is the Ministry of Housing.

### Article 1: Who is Eligible to Apply for Subsidy?

- 1.1 To get subsidy, members have to meet the eligibility requirements of the MOH as defined in Article 6 of this By-law.

## Article 2: Unit Size

- 2.1 Households are eligible for subsidy if they live in a unit size which is suitable by MOH guidelines.
- 2.2 If the number of people in the household decreases, the household must accept the first unit of suitable size. See Article 6 of the Occupancy By-law for details. If the household does not accept the new unit, they will not be eligible for subsidy.

## Article 3: Income

- 3.1 See Schedule "A" for guidelines to verify income and calculate housing charges.
- 3.2 (a) To know if a household is **eligible** and to calculate the **amount of subsidy**, the adjusted income of everyone living in the unit (except "casual guests" - see below) will be included.
- (b) The income of people living in a member's unit as **casual guests** who are allowed as guests under the Co-op's Occupancy By-law **will not be included**.

If a person has:

- lived in a unit past the time when Board permission is needed to stay as a casual guest, and
- has not applied for permission or permission was refused,

then their income will be included.

## Article 4: Giving Subsidy

- 4.1 The Co-op will give subsidy to those who need it on a first-come, first-served basis.

The Board and staff cannot choose to give or refuse subsidy.

The Manager makes factual judgments about who is eligible for subsidy and the amount of subsidy, based on MOH guidelines. The Manager

may refer doubtful cases to the Board of Directors.

- 4.2 Disputes or appeals will be referred to the Board by the Manager or by the member involved. The Board's decision will be final and binding. Members may appeal decisions to the Board within one week of getting notice of the decision.

An appeal to the Board will be heard as soon as reasonably possible. Until the Board makes its decision, the decision being appealed will not take effect.

- 4.3 The Board and Manager will use the information they have to reach a fair decision. The applicants are responsible for proving that they are eligible for subsidy. The amount of subsidy will depend on the applicants' proof of income.

If the Board or Manager has doubts about **factual information** they may:

- refuse to give subsidy to any member, or
- reduce the amount of subsidy, or
- end the subsidy, or
- calculate the subsidy based on an income amount they consider reasonable.

- 4.4 (a) The Manager will:
- confirm that the applicants for subsidy qualify for subsidy;
  - administer the subsidy waiting list;
  - make all necessary factual judgments and calculations; and
  - give all necessary notices.
- (b) The Co-op may refer any question about subsidy to the Co-op's accountant or lawyer.

- 4.5 Members who are given subsidy may continue to get subsidy in future years if they are still eligible.

## **Article 5: Amount of Subsidy and Annual Review**

- 5.1 (a) Each member who gets subsidy and wants to continue getting subsidy will reapply by (date) each year.

- (b) The application will include a signed declaration of household income, assets and size. It will include proof of current income. Schedule C lists the kinds of proof needed.

5.2

- (a) If the member is eligible for subsidy and if subsidy is available, the member will get subsidy. If the member is eligible for subsidy and it is not available, the member will be placed on the Co-op's internal waiting list for subsidy. If the member is not eligible for subsidy, the member can reapply any time if circumstances change.
- (b) If the Co-op offers a new unit and subsidy to someone on the waiting list (internal or external), that person must give the Co-op an updated declaration of household size and proof of income.

5.3

- (a) See Schedule "A" for guidelines to calculate the amount of subsidy.
- (b) Members who sublet their units will not get subsidy during the sublet period. Subsidy will end if a member is living away from their unit for longer than six months. On returning to the Co-op, the member will have priority on the internal list for assistance.

## Article 6: Targeting Plan

6.1

The following subsidy unit mix will be the targeting plan for the Co-op:

Type	# of Units	Source	Eligibility
Market	52	Co-op waiting list	Those able to pay market housing charges within 25% of their household income.
Shallow Core Need	130	Co-op waiting list	Those between Market and Deep Core Need.
Deep Core Need	78	Co-op waiting list	Those below the Deep Need Income Threshold set by the Ministry of Housing.

- 6.2 From time to time, the MOH will adjust the Income Thresholds for the "Deep" category.
- 6.3 The targeting plan may be amended by the mutual agreement of the Co-op and MOH.
- 6.4 The Co-op may increase or decrease the number of households in the "Deep" need category but the Co-op will stick to the general target of X% subsidized units.
- 6.5 The maximum number of X% subsidized units can be exceeded temporarily to help members whose income has dropped.
- 6.6 The Co-op can apply to MOH to change either the targeting plan or to increase the maximum number of subsidized units permanently.

**Article 7: Breach of Obligations by Members**

- 7.1 The Co-op can end subsidy if a household or a member of the household has broken the terms of this By-law.
- 7.2 A household must pay back the Co-op for subsidy to which it was not entitled if it:
- declared its income falsely or mistakenly, or
  - did not report an increase in income when required by this By-law.

- 7.3 When the Board has passed a resolution to evict all members of a household, subsidy to the household ends on the same day that the members are evicted.

## **Article 8: Changes in Income**

- 8.1 Members must report to the Co-op any change in income if the member is getting temporary income such as:

- General Welfare Assistance,
- Unemployment Insurance Benefits,
- short-term Workers Compensation, or
- a job training allowance.

These changes must be reported within seven days of the change.

- 8.2 If a member reports an increase in household income, the Co-op may recalculate the Housing Charge. The increase will take effect 60 days after the date of change.

- 8.3 If a member reports a decrease in household income, the Housing Charge will be adjusted at the beginning of the following month.

## **Article 9: Internal Waiting List for Subsidy**

- 9.1 There will be a waiting list for members of the Co-op who have applied for subsidy and are eligible.
- 9.2 Priority for giving subsidy will be on a first-come, first-served basis.
- 9.3 Applicants on the Internal Waiting List will have priority over applicants on the External Waiting List.

## **Article 10: External Waiting List for Subsidy**

- 10.1 Priority among applications on the External Waiting List who have applied and are eligible for subsidy will follow the order of the Waiting List.

## SCHEDULE "A"

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### GUIDELINES FOR INCOME AND SETTING HOUSING CHARGES

In this Schedule "income" is the same as "total income" under the **Income Tax Act**.

The Ministry of Housing sets out guidelines for calculating monthly housing charges. The Co-op follows these guidelines.

1. The housing charge for households with employment income will be calculated from the MOH rent scale. The housing charge for households with social assistance income will be calculated from the MOH rent scale for socially assisted residents.
2. Where they can be applied, employment deductions approved by MOH will be subtracted from the gross monthly household income.
3. The MOH states what "fully serviced accommodation" means. The monthly charge for assisted households will be based on this. A "fully-serviced" unit has heat, water, hot water, stove, and fridge supplied. The assisted households themselves must pay other costs such as general hydro, cable TV and parking. If the member pays for heat, the MOH allows a further deduction from the housing charge.
4. The Co-op cannot subsidize the sector support fee. It will be added to the assisted housing charge.

## SCHEDULE "B"

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### **WHAT IS INCOME?**

There are three types of income:

- Income related to Employment
- Income related to Investments
- Income for Support

### **WHAT IS INCLUDED IN EACH TYPE OF INCOME?**

#### **Income related to Employment**

- Salary or Wages
- Bonuses or incentive pay
- Gratuities or tips
- Overtime pay (if done regularly)
- Commissions
- Unemployment Insurance Benefits
- Worker's Compensation (short term and long term)
- Work incentive programs
- Training allowances
- Net income of a business or other self-employment activity
- Regular payments from accident, disability, or illness insurance
- Annuities (life, fixed term, or converted RRSPs)

#### **Income related to Investments**

- Interest income from assets and investments (bank, credit union, and trust company accounts; capital gains; term deposits; bonds or debentures)
- Dividend income from stocks or shares
- Interest portion from any mortgage or loan
- Value of non-income producing assets such as precious metals, gems, and art; financial holdings; real estate

#### **Income for Support**

- Family Benefits Allowance
- General Welfare Assistance
- GAINS-D (excluding the special needs minimum allowance)
- Student grants
- Pensions
- Support payments
- Note: Mother's Allowance (Baby Bonus) is **not** counted

## SCHEDULE "C"

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### PROOF OF INCOME

All household members with income in any form must give proof of income to the Co-op.

**IF YOU ARE REGULARLY EMPLOYED, you must give the Co-op:**

- (a) A letter from your employer stating:
  - your gross wages or annual salary, **and**
  - any overtime pay or bonuses for the past year, **and**
  - the amounts anticipated in the coming year; **or**
- (b) Original copies of three consecutive recent pay stubs.

**IF YOU ARE SELF-EMPLOYED OR A MEMBER OF A PARTNERSHIP, you must give the Co-op:**

- (a) A financial statement prepared by a chartered accountant about your most recent fiscal period. The statement **must** show:
  - the gross and net profits from your business, **and**
  - total payments from your business to you or members of your household as personal salary, bonus, dividends, loans or otherwise in the last year; **and**
  - other matters normal in a financial statement for a similar business.
- (b) If your business does not normally prepare financial statements, the Co-op may accept a letter from a chartered accountant. If a financial statement or letter from a chartered accountant is not available, you can submit a statutory declaration declared before a notary public or a commissioner for oaths. This declaration must set out your earnings in the past twelve months and projected earnings for the next twelve months.

An accountant's letter or statutory declaration must be as detailed as a financial statement would be.

**IF YOU ARE RECEIVING SOCIAL ASSISTANCE, you must give the Co-op:**

A letter from your caseworker or the social agency. This letter must show:

- the size of your family, **and**
- the amount of benefits received, **and**
- the source of the income (for example: General Welfare Assistance , Family Benefits Assistance, etc.).

**IF YOU ARE RECEIVING A PENSION OR ANNUITY, you must give the Co-op:**

- (a) a confirmation letter; or
- (b) copies of your monthly cheques; or
- (c) the slips sent to you with your cheques.

**IF YOU ARE IRREGULARLY OR SEASONALLY EMPLOYED OR IN RECEIPT OF IRREGULAR INCOME, you must give the Co-op:**

- (a) a confirmation letter from your current employer stating your gross wages, overtime pay and bonuses; and
- (b) copies of any unemployment insurance warrant cards; and
- (c) an estimate of your earnings for the next twelve months including tips and gratuities.

**IF YOU ARE CURRENTLY UNEMPLOYED, you must give the Co-op:**

Copies of your unemployment insurance warrant cards.

**IN ADDITION, you must give the Co-op:**

Any other evidence required to document all or part of your income including tips, gratuities, interest income and investment income.

**Note:**

In addition to these proofs of income, the Co-op may require additional documentation.

Housing charges are calculated on **gross** household income (before taxes and other deductions) - not take-home pay.

**Article 11: General**

11.1 The Board will decide how to deal with anything relating to subsidy that this By-law or the Schedules do not deal with. The Board will keep in mind the Co-op's obligations under any agreements with the Province of Ontario or other agency. This by-law will govern if there is a conflict between this By-law and the Occupancy By-law, Organizational By-law, any other by-law of the Co-op, or written agreement between the Co-op and any member.

**Article 12: Coming Into Force**

12.1 This By-law will take effect when the members confirm it.

<p><b>PASSED</b> by the Board of Directors and sealed with the corporate seal of the Co-op on (date). <i>March 11/93</i></p>	<p><i>John Ferguson</i> _____ President c/s</p>
	<p><i>Anne Bejman</i> _____ Secretary</p>
<p><b>CONFIRMED</b> by at least two-thirds of the votes cast at a General Meeting of the Members on (date). <i>August 12/93</i></p>	<p><i>John Ferguson</i> _____ President c/s</p>
	<p><i>Anne Bejman</i> _____ Secretary</p>

*Britannia Glen Co-operative Homes Inc.*

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*Arrears By-law*

*By-law # 8*

Date Approved by the Board of Directors: Thursday June 10, 1993 .....

Date Confirmed by the Members: Thursday August 12, 1993

## Arrears By-law

By-law # 8

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### ARTICLE 1      General

- 1.01 The Co-op provides housing for its members at cost. It is the responsibility of members to pay their fair share of the costs promptly, as charges become due.
- 1.02 The Co-op's Manager (or such other person or committee as the Board may appoint) shall deal with arrears cases by administering this Arrears By-law and, where necessary, by referring arrears cases to the Board.

### ARTICLE 2      Payment and Charges

- 2.01 Cheques for payment of housing and parking charges and instalments of any other amount owing to the Co-op should be delivered to the Co-op Office by the 25th of the month preceding the month to which the charges apply. Cheques should be post-dated to the first day of the month following.
- 2.02 Payment shall be considered late if not received by 11:00 a.m. on the first banking day of the month. Members are encouraged to leave as many as twelve post-dated cheques at a time with the Office.
- 2.03 Payment must be made by cheque or money order. The co-op is not set up to handle cash.
- 2.04 Any amounts owed to the Co-op that have not been received when due will be considered arrears.

The reason prompt payment is so important is that the Co-op's mortgage payment is debited from the Co-op's bank account on the first banking day of the month.

- 2.05 Payments not received on time by the Co-op are subject to a late payment charge of \$10.00 (or such other amount as the members may, by resolution, approve) for each month that the member is in arrears and has not signed a repayment agreement with the Co-op. This charge will be levied at the time that the reminder is sent out.

A member may request that the charge be waived by submitting a letter outlining the reason for late payment to the Manager or committee responsible for administering this By-law. Such a request will be considered only if the member has notified the Office (in writing) that the payment will be late before the date it was due.

- 2.06 Except as provided in 2.07, if a member's cheque to the Co-op is returned NSF by the bank or credit union, the member will be required to pay the service charge levied by the

Bank or credit union. In addition, the member will be considered in arrears and shall be liable for late payment charges until full payment has been made.

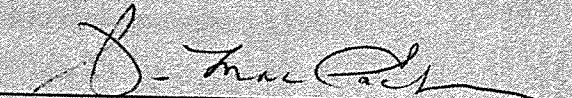
- 2.07 If a member's cheque is returned NSF because of a bank or credit union error and the member can verify to the Co-op's satisfaction that he or she was not at fault, the late payment fine will be waived.
- 2.08 If a member's cheques have been returned NSF more than once in a year and the member is considered by the Co-op to have been at fault, the Manager/Co-ordinator responsible for administering this By-law may require that member to make all subsequent payments to the co-op by certified cheque, money order, cash or Point of sale (debit) for up to one year.
- 2.09 The board may terminate a member's right to occupy a unit in the co-op according to the Co-op's Occupancy by-law if the member is in default of or has been repeatedly late in payment of monthly charges or other charges payable under the articles or by-laws of the co-op.
- 3.01 All former members that have moved out or been evicted owing monies will be placed with a collection agency and the amount owing will be reported to the credit bureau. If the former member was being subsidized, the amount owing will be also reported to the Region of Peel as per the regulations.

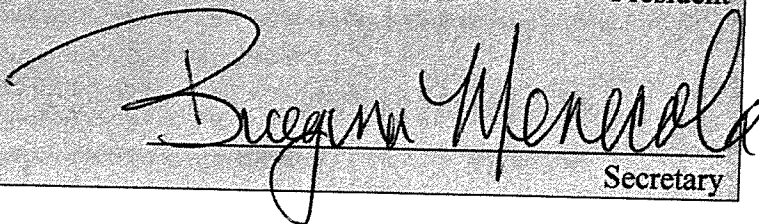
**PASSED** by the Board of Directors and sealed with the corporate seal of the Co-op on March 23, 2005.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

**CONFIRMED** by at least two-thirds of the votes cast at a General Meeting of the Members on April 24, 2005.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary