

Britannia Glen Co-op

Review of Decisions Policy

Date approved or revised	
References	<i>Housing Services Act, 2011</i> <i>Request for Review Form</i> <i>Review Decisions Form</i>

Policy statement

The *Housing Services Act, 2011* (HSA) and its regulations give the right to ask for a review by the Service Manager (the Region of Peel or its designate) to applicants for RGI housing and to RGI members of certain decisions and to applicants for special needs housing and to special needs members, with other decisions being appealable to Britannia Glen Co-op as the Housing Provider.

The regulations and Region of Peel local rules set out guidelines and deadlines for handling these reviews.

Britannia Glen Co-op is committed to fair and equitable relations with all members that reflect not only the legislated requirements of the Act but also transparency to all. This Policy will be made available in print form to anyone who requests, and will be posted in simplified form in key building locations.

The responsibility for the following reviews has been delegated to Britannia Glen Co-op by the Region of Peel:

- declining a request for internal transfer including a request for an additional bedroom;
- declining a request to add an additional member to the household;
- declining a request for a parking space;
- declining a request for an extended visitor's stay; and,
- refusal to offer a unit.

The responsibility for the following reviews is the Region of Peel's:

- the household is determined to be ineligible for RGI assistance, whether at the application stage, while on the Centralized Waiting List (CWL), or while receiving RGI assistance;
- the household is not eligible for special needs housing (e.g. a unit designed for wheelchair use);
- the amount of geared-to-income rent payable by the household;
- the type of unit the household qualifies for (size, number of bedrooms (could also include request for an additional bedroom));
- a household cannot be added to a wait list for special priority for which the household has applied to be added to and which takes precedence over the chronological wait list, or remain on a wait list that has special priority status.

Purpose and scope

Purpose

The purpose of this policy is to give members and applicants a clear and transparent process for having decisions of Britannia Glen Co-op reviewed, in compliance with governing legislation, Region of Peel guidelines/directives. It will ensure that all requests by members for a review of a staff decision are dealt with in a timely and consistent manner.

Scope

This policy applies to all staff, board members, and volunteers of the co-op who are responsible for the calculation and administration of RGI subsidies, the management of internal and external waiting lists, and tenant selection, as well as the review committee.

The review 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 consider special circumstances which may not have been initially considered when the policies were created or the decision was made.

Britannia Glen Co-op's review committee will use precedent in making its decisions, and will aim to treat all applicants and members fairly.

The review committee will also consider the impact of its decisions on the member seeking the review, other members or applicants, the non-profit staff, and the well-being of the co-op.

Definitions

Accommodation

Opportunities to support, as much as possible, the full and equitable participation of applicants and members who are Ontario *Human Rights Code*-protected in the activities of the non-profit, for example, accommodating language, accessibility, and literacy needs of the person requesting the review.

Designated staff

The staff person(s) who has been designated to complete a particular action or requirement, normally the Property Manager

Britannia Glen Co-op review committee

The body that is responsible for conducting reviews of decisions on behalf of the co-op as per the Service Manager's local rule.

RGI subsidy

A member's rent-geared-to-income subsidy.

Service Manager

The Region of Peel

Timeframes and Notices

Britannia Glen Co-op will send a Notice of Decision Letter to a household when any decision is made that impacts the household's housing and/or RGI assistance.

If a decision is not subject to appeal to the Region of Peel, the Notice of Decision Letter will include: the date of the decision; the reason(s) for the decision; a statement that either the decision is final or may be appealed to Britannia Glen Co-op's Appeal Committee as appropriate; a statement that an appeal to the Region of Peel may not be requested.

If a decision is subject to an appeal to the Region of Peel, the Notice of Decision Letter will include: the date of the decision; the reason(s) for the decision; a statement that a

member of the household is entitled to request an appeal to the Region of Peel; information on how to request an appeal, including reference to the Region of Peel – Service Manager Appeal Request Form; and the deadline for requesting an appeal.

If a decision is subject to appeal by Britannia Glen Co-op's Appeal Committee, the household wishing to appeal must do so in writing within ten business days of receiving the Notice of Decision. If Britannia Glen Co-op receives a request for an appeal to Britannia Glen Co-op's Appeal Committee, the Appeal Committee will meet, either by video or teleconference or in person within five business days of receiving the appeal request; will make a decision within ten business days of receiving the appeal request; and will provide the appellant written notice of the Appeal Committee's decision and reasons for the decision within five days of making the decision.

If Britannia Glen Co-op receives a copy of an appeal request submitted to the Region of Peel, Britannia Glen Co-op staff will immediately submit by fax or email all relevant information or documents to the attention of the Appeals Specialist at the Region of Peel. If Britannia Glen Co-op is contacted by the Region of Peel Appeals Specialist, all requested information must be emailed or faxed within one business day.

Wherever possible, the Region of Peel Appeals Specialist will work with Britannia Glen Co-op and the appellant through a mediated approach to seek a mutual resolution, avoiding an imposed formal decision.

Procedures for Britannia Glen Co-op's Appeal Committee

Membership

There will be two to three Review Committee members drawn from the Board of Directors, with the number and choice made in consultation with the President or designate, based upon availability and complexity of the appeal (including the possibility of a split vote, requiring a third Director to ensure a majority decision), together with use of the following selection principles:

Review committee members must:

- not have participated in the original decision
- be knowledgeable about the relevant sections of the HSA
- not have discussed the decision with the original decision maker prior to the review

Meeting Principles and Practices

For the review panel, the following principles and practices are to be observed:

- a) be an open process that is easily understood
- b) protect the confidentiality of the household requesting a review
- c) allow households to bring a representative to the review
- d) accommodate language, accessibility, and literacy needs of the person requesting the review
- e) only consider reliable and relevant information,
- f) treat all similar situations consistently using precedents

Implementation of the above may mean that a face-to-face meeting of the Committee may be required, including allowing the appellant to attend, with a representative as felt necessary by the appellant. This determination will be made within two business days of receiving the appeal request by the President or designate.

Setting the Britannia Glen Co-op review committee agenda

When the Property Manager receives a written request for review from a member or applicant, the Property Manager will complete a *Request for Review* form.

The Property Manager will compile a package for the review committee for each requested review. The package will include:

- the member's written request for a review
- the *Request for Review* form

- any documentation used in making the original decision

The package will be sent to the Review Committee by the Property Manager 48 hours in advance of the review committee meeting at which the requested review will be conducted.

The Property Manager will notify the member(s) or applicants(s) who has requested the review of the date and time of the review if a face-to-face review is deemed appropriate.

Member will be permitted to attend the review if they wish. If member(s) or applicant(s) wish to attend the review, their presence will be scheduled in the agenda and will be allotted an appropriate amount of time based on the perceived complexity of the review.

The review of decision process

The review committee will be led by the designated chair. The review committee will operate by consensus but will cast a vote with majority decision if necessary.

Members or applicants who are attending their review will be permitted to bring a translator, family members, friends, or other advocates of their choice.

At his/her discretion the chair may limit the number of attendees.

If necessary, staff responsible for the original decision may attend the meeting to present information.

The review committee will not make final decisions while the member or applicant who requested the review waits. Exceptions may be granted in extenuating circumstances.

Once a decision has been reached, the chair will complete a *Review Decisions Form* for each requested review. The *Review Decisions Form* will document the decision(s) made and the reason(s) for the decision(s). The *Review Decisions Form* will be forwarded to the Property Manager no later than the day after the meeting took place.

The chair will return all packages and materials used to make their decision to the Property Manager. All redundant and unnecessary materials will be destroyed.

The Property Manager will notify the member or applicant of the Review Committee's decision within the timeframes noted above. The Property Manager will also place one copy of the *Review Decisions Form* into Britannia Glen Co-op's review decisions file and a second copy in the tenant's or applicant's file.

Appeals

The decisions rendered by the review committee are final and cannot be appealed by Britannia Glen Co-op, the applicant or Member.