



**Capital Region
Housing**

The Way Home

Alberta Housing Act Regulatory Amendments

Mark Hoosein, Chief Operating Officer

Esther de Vos, Director, Policy, Research and Strategic Initiatives

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Approach to Regulation Changes

- Amendments came into force in 2 waves
 - September 1, 2017
 - January 1, 2018
- Alberta Seniors and Housing provided Interpretation Guides to help explain these amendments. The most recent version was distributed on February 1, 2018. It is important to reference the most recent version.

Changes to the *Management Body Operation and Administration Regulation*

All changes to this Regulation came into force September 1, 2017

- In all sections where documentation or notification was to be given to the Deputy Minister, the notification/documentation is to be given to the Minister, including the appointment of a CAO.
- In all instances where *spouse* is mentioned, adult interdependent partner has been added.
- The definition of *spouse* has been changed.
- The sections relating to pecuniary interest have been changed to monetary interest and a new section is provided detailing the situations where a monetary interest does not arise.

MBOAR continued

- The resolution regarding the setting of board meetings has been changed – it now must state the day and time of every such meeting and the place or manner in which each meeting will be held.
- There are new rules with respect to notice and conduct of special meetings
- Annual public/tenant meetings are now mandatory (previously it was up to the management body whether to have one).
- Information requests are now to be dealt with through FOIP, sections 10-12 that addressed requesting information from a management body have been repealed.

MBOAR continued

- The records retention section has been clarified to be in accordance with the applicable records disposition policy. The records disposition policy was included in the February 1, 2018 Interpretation Guide.
- The section on business plans has been updated to clarify that management bodies must provide a 3-year plan which includes a 3-year operating budget and a 5-year capital plan budget. The sections relating to operating and capital budgets that exist now in the regulation have been repealed.

MBOAR continued

- Management bodies are now directed to the list of investment requirements and instruments outlined in the *Financial Administration Act* rather than it be listed in the regulation.
- The insurance sections have changed. In section 34, it states that the amount must be satisfactory to the Minister. However, in the Interpretation Guide, it states that the current amount per occurrence is changing to \$2,000,000 per occurrence (from \$1,000,000) and the general aggregate amount is changing to \$5,000,000 (from \$2,000,000). Changes have also been made regarding crime insurance – it is required to obtain comprehensive crime insurance, including a fidelity bond which covers the exposure from the acts of employees, directors, officers, whether acting alone or in collusion.

Discussion Questions

- How will you hold an annual meeting with your tenants? Do you do so already? What are the challenges and/or advantages to this requirement?
- Is your Management Body properly insured?
 - Do you have Crime Insurance?
- How will the business planning requirements affect your operations?
- What is your HMB's record retention strategy?

Social Housing Accommodation Regulation

September 1, 2017 changes

- Registered disability savings plans and registered education savings plans have been added to the list of exempt assets. This reflects a codification of previous policy direction.
- Addition of a new provision that allows the Minister to designate any payment or refund from the Government of Canada or Government of Alberta as an exempt asset.
- Changed the terminology from “core need income threshold” to “household income limits/threshold” – this is being done as part of the implementation of the Canada-Alberta Social Housing Agreement
- Removal of all sections pertaining to the rural emergency housing accommodation.

Social Housing Accommodation Regulation – January 1, 2018 changes

- Terminology for income has changed. Previously, it was mandated to collect the total annual income and then calculate the adjusted income.
 - There is now only one form of income for non-senior households – total annual income and this is to be used for both determination of eligibility and rent calculation.
 - Adjusted income is now a term that relates to senior households only and the two types of income (total annual income – senior households and adjusted annual income – senior households) remain.

SHAR changes continued

- Changes to asset levels from \$7,000 total to \$25,000 total.
- The limit on equity for one a vehicle has been removed and so too has the limit on tools required for work.
- Tax Free Savings Accounts (TFSAs) have been added to the list of exempt assets.

SHAR changes continued

- Changes to the point score system:
 - Removal of the section barring the application of rent to income points for those in receipt of income support
 - Emergency section has been changed to special circumstances with an added provision that the Minister can further define special circumstances in addition to the two provided for in the Regulation for a maximum of 15 points (same two reasons – eviction and emergency such as family violence).
 - Removal of the requirement to deduct points for assets or for households consisting of one or more full time students with no dependents. There will no longer be any negative point scores.

Discussion Questions

- How has your HMB implemented the new point score system for applications to community housing?
 - How have you or will you rescore current applicants on your waitlist for community housing?
- How will you prioritize seniors waiting for self-contained units if the asset limits are no longer a determining factor?

Other changes

- Effective September 1, 2017, all Carbon Levy Rebates received by households after that date will be included as income for the purposes of rent calculation for households in the community housing and private landlord rent supplement programs. The rebate is not to be included in the calculation of income for eligibility purposes. There is a Ministerial Order for this direction.
- The exemption for AISH income remains. This means that a maximum of \$638 can be deducted. Essentially this means that while AISH payments are \$1588 a month, the income to use for calculation of income is \$950. There is also a Ministerial Order for this direction.
- By Ministerial Order, effective January 1, 2018, Housing First graduates are awarded 10 points. The Ministerial Order defines what a Housing First graduate is.

Discussion Questions

- What has been, or what do you project to be the impact to your rent collection amounts in community housing given these prioritization changes?
- What has the reaction been to the implementation of the Carbon Levy rebate rules?
- Do you have any experience with the 'special circumstance' points? How will this impact your operation?
- What strategies do you use to assist those transitioning off of AISH when they turn 65?

Tenant Dispute Resolution Process

- The Provincial Affordable Housing Strategy Policy and Working Group have been working on a tenant dispute resolution process at the behest of the Ministry.
- This process will be external from the housing management body.
- It is limited to particular issues and does not include anything that would go to another decision making body (e.g. RTDRS, Human Rights Office).

Discussion Questions

- What is your current complaints and appeals process?
- How do you see this aligning with the proposed external process?

Follow Up

Esther de Vos: Esther.deVos@crhc.ca

Mark Hoosein: Mark.Hoosein@crhc.ca

Your APHAA reps on the Policy and Working Group

Nancy Simmonds: Nsimmonds@gef.org

Aminda Galappaththi: Aminda.Galappaththi@Calgary.ca

Esther de Vos