

Chatham-Kent Social Housing

Policy Name:	Internal Appeal Policy
Contact Officer:	Chatham-Kent Social Housing, 519-351-8573
Date Effective	November 1 st , 2002
Date Certified:	November 1 st , 2002

Reference:

Social Housing Reform Act 2000, 298/01, Part VIII, Sect 55-59
Social Housing Reform Act 2000, 339/01, Part IV, Sect 9, 17-20

Policy:

Applicants and residents have the right to appeal decisions made by the Social Housing Division in respect to (SHRA, 2000 s. 82):

1. Eligibility for rent geared-to-income assistance
2. Type of accommodation
3. Category
4. Amount of geared-to-income rent
5. Deferral of geared-to-income rent
6. Eligibility for special needs housing

Procedure:

With respect to applicants, eligibility and suitability determinations will be made by the caseworker, Social Housing Division. (Refer to Policy – Opportunity to Comment). Once comments (if applicable) are received by the caseworker, if it is recommended to decline an applicant, the caseworker will submit supporting documentation to the designated supervisor for review; the Notice of Decision will be communicated in writing by the supervisor, Social Housing Division. Notices of Decision pertaining to basic eligibility (i.e. citizenship, arrears, etc.) will be communicated directly by the caseworker.

The Internal Review process as it pertains to decisions concerning residents will be communicated by the designated supervisor.

If a request for an internal review is received, the review must:

1. be in writing and addressed to the person sending notice of the decision
2. be received by the Social Housing Division within 10 business days
3. after the day the notice of the decision is received by the household. This time frame may be extended by the Social Housing Division if it is satisfied that the household acted in good faith and was unable to comply with the above time frame because of absence, accident, illness or some other reason beyond the member's control
4. be given only by the individual who made the request if it is a decision with respect to inclusion in the special priority category

The request for an internal review may be withdrawn by giving written notice of the withdrawal to the person to whom the request for an internal review was sent. This must be received before the review is completed.

Internal Review Process (O. Reg. 298/01 s. 58)

1. The review is to be conducted by a panel of three supervisors and/or managers of the Chatham-Kent Community & Social Services Department. Quorum of the panel shall consist of two (2).
2. No individual who participated in the making of the decision being reviewed shall participate in the review of that decision.
3. The review shall be completed within 10 business days after the request for the review is received.

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4. The review shall be completed within 5 business days after the request for the review is received if,
 - a) the decision is with respect to a request for inclusion in the special priority household category; or
 - b) the decision is with respect to an application for rent-geared-to-income assistance with which a request for inclusion in the special priority household category was made.

Prior to completion of the internal review, the applicant or resident household may request to make a presentation to the panel. The internal review panel members may substitute their decision for the decision being reviewed.

Written notice of the result of the review, prepared by a person designated by the panel, and signed by the Program Supervisor, Social Housing Division, shall be given to the individuals who requested it within five (5) business days after the review is completed. The notice will be given to all members of the household who are 16 years old or older either individually or addressed to all the members of the household.

The notice shall be given to a person by:

1. Giving the notice directly to the person.
2. Leaving the notice at the last known address of the person, either in a place that appears to be for incoming mail or with an individual who appears to be 16 years of age or older; or
3. Mailing the notice to the person at their last known address.

Notices regarding Special Priority Status can only be given to the individual member who made the request.

The Internal Review Panel decision is final.

Note: Refer to Operations Policy and Procedure Manual: Opportunity to Comment and Notice of Decision.