
ANNUAL AND PERIODIC ELIGIBILITY REVIEWS

Effective Date: November 17, 2020

Approved By: Chief Administrative Officer

Policy No. HO-009

PURPOSE

To ensure that the Metro Vancouver Housing Corporation (MVHC), referred to as Metro Vancouver Housing, is providing housing that prioritizes very low to moderate income applicants, and also furthers BC Housing's tenant selection policies and procedures as governed by applicable operating agreements. The *Annual and Periodic Eligibility Review Policy* establishes consistent criteria to ensure that tenancies in Metro Vancouver Housing managed housing complexes are administered in a manner that is transparent, equitable, and appropriate, and that tenancies continue to meet Metro Vancouver Housing's eligibility criteria.

This policy applies to annual and periodic eligibility reviews in all Metro Vancouver Housing complexes.

DEFINITIONS

"Assets" refers to financial investments or items of economic value that could be converted into cash.

"Household" means all of the individuals that occupy or propose to occupy a rental unit.

"Household Income" means, for any period of time, the aggregate of gross income from all sources of a Household, based on the most recent tax returns filed with the Canada Revenue Agency for that period of time.

"Housing Income Limits" refers to BC Housing's maximum gross Household income limits, established annually using figures from the Canada Mortgage and Housing Corporation (CMHC). HILs is intended to reflect the minimum income required to afford appropriate housing in the private market by unit size. For Metro Vancouver Housing, these income limits represent the maximum annual Household income threshold, before taxes, for Rent-Geared-to-Income tenants.

"Low and Moderate Income Limits" refers to gross Household income limits that do not exceed the median income in BC, as determined by BC Housing from time to time. Income limits are distinguished for Households with and without children. For Metro Vancouver Housing, these income limits represent the maximum annual Household income threshold, before taxes, for Low-End-of-Market applicants.

"Low-End-of-Market (LEM)" refers to a type of subsidized housing where rent is calculated based on rental market conditions. For Metro Vancouver Housing, LEM rates are generally set between 10% - 20% below true market rental rates for comparable buildings (e.g. similar area, building age, and amenities).

“National Occupancy Standards” refers to guidelines established by the CMHC that determines what size housing unit a single person, couple or family qualifies for.

“Rent-Geared-to-Income (RGI)” refers to a type of subsidized housing where rent is calculated based on the tenant’s income, also referred to as subsidy and/or rental assistance. For Metro Vancouver Housing, RGI rates are set to 30% of a tenant’s gross annual Household income, before taxes.

“Residential Tenancy Act” means the *Residential Tenancy Act*, S.B.C. 2002, c. 78, as amended, replaced, or re-enacted from time to time.

“Tenancy Agreement” means the agreement between Metro Vancouver Housing and a tenant respecting the tenant’s possession of a rental unit, use of common areas, services and facilities.

POLICY

Metro Vancouver Housing will conduct annual income reviews for RGI tenants to determine rent and periodic eligibility reviews of all tenancies in a manner that is transparent, fair, and in accordance with its purpose of serving very low to moderate income Households across the region. Staff will use tools, such as interviews, income testing, and asset testing to ensure that tenancies continue to meet Metro Vancouver Housing’s housing eligibility criteria.

Metro Vancouver Housing will consider the following factors in conducting its annual and periodic reviews of tenancies to confirm ongoing housing eligibility:

- Household income and assets;
- Household size and composition (in accordance with National Occupancy Standards); and
- Accessibility needs.

Metro Vancouver Housing may end a tenancy following an eligibility review for any one of the following reasons.

(1) Incomplete Information

Tenants are required to submit certain information as part of the eligibility review to verify their continued housing eligibility during their tenancy. The information required to be submitted for the review varies depending on the applicant’s specific eligibility criteria. All submitted information must be current, complete, true, and accurate. Tenants are additionally required to immediately notify Metro Vancouver Housing of any changes to their Household Income, Household assets, or Household occupancy during their tenancy.

All tenants of Metro Vancouver Housing managed housing complexes must supply information relating to their Household size and composition (ie. age, sex, and relationships among proposed Household members) as part of their continued eligibility review.

All tenants of a Low-End-of-Market unit or Rent-Geared-to-Income unit with Metro Vancouver Housing must supply information demonstrating that their Household does not exceed the applicable asset limit or income limit for their housing as part of their continued eligibility review.

All tenants of an accessible unit with Metro Vancouver Housing must supply information demonstrating their accessibility needs as part of their continuing eligibility review.

On request, or, if there is an obvious language or cognitive barrier, Metro Vancouver Housing staff will refer applicants to agencies that will assist tenants in ensuring the application form is complete and accompanied by all required supporting documentation.

Tenants who submit incomplete information, inaccurate information or who do not otherwise supply requested information to Metro Vancouver Housing for the review of their ongoing housing eligibility or who fail to immediately notify Metro Vancouver Housing of a change to their Household Income, Household assets, or Household occupancy during their tenancy, may be declined continued housing on this basis and may receive a notice to end tenancy in accordance with the *Residential Tenancy Act* and their Tenancy Agreement.

(2) Incorrect Information

All information submitted during an eligibility review must be current, complete, true, and accurate. Tenants are additionally required to immediately notify Metro Vancouver Housing of any changes to their Household Income, Household assets, or Household occupancy during their tenancy. A tenant who submits incomplete information, inaccurate information, makes material misstatements or misrepresentations, or who does not otherwise supply the requested information to Metro Vancouver Housing during the review of their ongoing housing eligibility, or who fails to immediately notify Metro Vancouver Housing of a change to their Household Income, Household assets, or Household occupancy during their tenancy, may be declined continued housing on this basis and may receive a notice to end tenancy in accordance with the *Residential Tenancy Act* and their Tenancy Agreement.

(3) Household Size and/or Composition

A Household occupying a unit size with either too many or too few bedrooms to comply with the National Occupancy Standards may be discontinued housing on this basis and may receive a notice to end tenancy in accordance with the *Residential Tenancy Act* and their Tenancy Agreement. Metro Vancouver Housing retains a residual discretion to offer an internal transfer to an appropriate size unit, or, permit an exception to the National Occupancy Standards in the event of a very high vacancy rate or to comply with other laws as applicable. All exceptions to Household size and/or composition must receive the prior written approval of the Department Manager.

(4) Income Threshold or Asset Limit Exceeded

A Household that exceeds the asset limit or income limit for a LEM unit or RGI unit (as applicable) may be discontinued housing on this basis and may receive a notice to end tenancy in accordance with the *Residential Tenancy Act* and their Tenancy Agreement.

To maintain eligibility for an RGI unit with Metro Vancouver Housing, the Household Income must not exceed the Housing Income Limits. If the Household Income exceeds the Housing Income Limits, then Metro Vancouver Housing may serve a notice to end tenancy. Unless the tenant agrees in writing to an earlier date, this notice to end tenancy must end the tenancy on a date that is not earlier than two (2) months after the date the notice to end tenancy is deemed received by the tenant in accordance with the *Residential Tenancy Act*.

CORPORATE POLICY

Post July 2020 Tenancy Agreements have a requirement to maintain eligibility for an LEM unit with Metro Vancouver Housing. The Household Income must not exceed the Low and Moderate Income Limits. If the Household Income exceeds the Low and Moderate Income Limits, then Metro Vancouver Housing may serve a notice to end tenancy. Unless the tenant agrees in writing to an earlier date, this notice to end tenancy must end the tenancy on a date that is not earlier than two (2) months after the date the notice to end tenancy is deemed received by the tenant in accordance with the *Residential Tenancy Act*.

To maintain eligibility for RGI or LEM units with Metro Vancouver Housing, Household assets must be less than \$100,000. Assets include but are not limited to:

- Funds held in a financial institution, including banks, trust companies, etc.
- Stocks, bonds, and exchange-traded funds.
- Cash and other items of a potential income earning nature.
- Equity in real property.
- Equity in a business, including cash, GICs, bonds, stocks, equity in real estate, or equity in any other tangible asset.
- Items of personal property valued over \$10,000.

Assets that are excluded include:

- Bursaries or scholarships from educational institutions for any Household member that is a current student.
- Registered Education Savings Plans (RESPs), Registered Retirement Savings Plans (RRSPs), and Registered Disability Savings Plans (RDSPs).
- Trade and business tools essential to continue currently active employment, such as equipment, tools, and business use vehicles.
- Assets derived from compensatory packages from government, for example, Indian Residential Schools Settlements and Japanese Canadian Redress.
- Interest in Discretionary Trusts.

If the Household exceeds asset limits, then Metro Vancouver Housing may serve a notice to end tenancy. Unless the tenant agrees in writing to an earlier date, this notice to end tenancy must end the tenancy on a date that is not earlier than two (2) months after the date the notice to end tenancy is deemed received by the tenant in accordance with the *Residential Tenancy Act*.

(5) Accessibility

Accessible units are prioritized for RGI tenants with disabilities, or those with progressive conditions where the tenant may not be immediately disabled but will require an accessible unit in the near future. Tenants who require support or suite modification must be able to demonstrate that the required supports are available in the community.