



HOUSING & PROPERTY SERVICES

Policy Number: 40

Ineligibility for Rent Geared to Income Subsidy due to Arrears

Date: February 2026

Purpose:

The purpose of this local rule is to describe the requirements for an applicant household to be deemed eligible for RGI subsidy when a household member is found to have arrears with a housing provider in the Province of Ontario.

Background/Legislation:

Under Regulation 367/11, a household is ineligible for rent-geared-to-income subsidy if any member of the household owes arrears, with respect to a previous tenancy or membership with any housing provider and/or transferred housing program listed in the Housing Services Act, 2011.

Ontario Regulation 367/11 s. 26

Ineligibility — amounts owed by household

26. (1) A household is ineligible for rent-geared-to-income assistance if a member of the household owes, with respect to a previous tenancy in any housing project under any transferred housing program,

- (a) arrears of rent;
- (b) an amount required by a service manager under section 56 of the Act or section 86 of the former Act; or
- (c) an amount for damage caused by a current member of the household. O. Reg. 367/11, s. 26 (1).

(2) Subsection (1) does not apply with respect to arrears or an amount owed by a member of the household if,

- (a) the service manager is satisfied that there are extenuating circumstances; or
- (b) a member of the household has entered into an agreement, or made reasonable efforts to enter into an agreement, with the person to whom the arrears or amount is owed for the payment of the arrears or amount and the service manager is satisfied that the member is making or intends to make all reasonable efforts to repay the arrears or amount. O. Reg. 367/11, s. 26 (2).

(3) The arrears or amount owed by a member of the household is deemed, for the purposes of clause (2) (b), to be one-half of the actual arrears or amount owed if,



- (a) a request has been made for the household to be included in the special priority household category and the request would be or has been granted; and
- (b) the arrears or amount is owed with respect to a unit of which the member and the abusing individual were joint tenants. O. Reg. 367/11, s. 26 (3).

Housing Services Act, 2011 s. 42

Eligibility rules

42 (1) Eligibility for rent-gear-to-income assistance shall be determined in accordance with the following:

1. The prescribed provincial eligibility rules.
2. The local eligibility rules made by the service manager. 2011, c. 6, Sched. 1, s. 42 (1).

Local rules required

(2) A service manager shall make local eligibility rules with respect to the prescribed matters. 2020, c. 16, Sched. 2, s. 7.

Other local rules

(2.1) A service manager may make local eligibility rules other than those made under subsection (2) with respect to the prescribed matters. 2020, c. 16, Sched. 2, s. 7.

Prescribed requirements for local rules

(3) The local eligibility rules must comply with the prescribed requirements. 2011, c. 6, Sched. 1, s. 42 (3).

Conflicts

(4) A local eligibility rule does not apply to the extent that it conflicts with a provincial eligibility rule, unless the provincial eligibility rule provides otherwise. 2011, c. 6, Sched. 1, s. 42 (4).

Also Reference Housing Services Act., 2011, s.44, s.45, s.47, s.48, s.50, s.51, s.53

Arrears Definition:

- Unpaid rent (full or partial month)
- Unpaid parking charges (full or partial month)
- Retroactive lump sum rental amounts owed due to reporting misrepresentation or failure to report household income.
- Damages to unit, beyond normal wear and tear, attributable to a member of the household



- Damages to any common areas within the residential property which are attributable to a member of the household.
- Any other unpaid charges to a housing provider
- Unpaid legal fees (ie. Tribunal filing fees, Sheriff fees, etc.)

POLICY

An applicant will be deemed ineligible for RGI subsidy if a member of the household owes arrears from a previous tenancy to a housing provider listed under the Housing Services Act.

An applicant may be deemed eligible if the applicant has entered into a repayment agreement and the service manager is satisfied that the applicant is making or intends to make reasonable efforts to repay the arrears. A copy of the repayment agreement from the Housing Provider to whom arrears are owed is a requirement.

The applicant with outstanding arrears will be assigned an “Eligible – Owes Arrears” status. The application will not be deemed “active” on the waitlist until the arrears have been paid in full.

Huron County Housing Services staff will acknowledge the application with a letter, confirming placement on the waitlist but an offer of housing will not be made until the arrears have been paid in full.

When the arrears have been paid in full and proof of payment is provided to Huron County Housing Services, the application will be deemed “active” back to the original application date.

APPROVED BY:

Barbara Hall, Director, Social and Property Services

Name/Position

February 10 2026

Signature