



TCHC Response to OCHE Systemic Recommendations

Item 21

December 9, 2021

Board of Directors

Report: TCHC:2021-77

To: Board of Directors (the "Board")

From: Tenant Services Committee ("TSC")

Date: November 18, 2021

PURPOSE:

The purpose of this report is to provide the Board with an overview of the actions taken at Toronto Community Housing ("TCHC") to maintain tenancy through the management of arrears and how recommendations from the Office of the Commissioner of Housing Equity ("OCHE") inform systemic improvement.

RECOMMENDATIONS:

It is recommended that the Board receive this report for information.

BACKGROUND:

In accordance with section 9.2 (a) of the 2013 Shareholder Direction, TCHC takes the appropriate actions to prevent eviction and maintain tenancy across the portfolio; evictions for non-payment of rent (arrears) are only pursued a last resort, only after staff have taken every reasonable step to work with and provide tenants support to resolve them.

In April 2014, the OCHE was established with the primary mandate of supporting the prevention of evictions through enhanced interactions with seniors and vulnerable tenants who face loss of subsidy or rental arrears. In

parallel, TCHC implemented a revised arrears collection process (“ACP”) that emphasized early intervention, required increased personal contact with the tenants in arrears, and focused staff efforts on signing repayment agreements with tenants to manage or resolve their arrears. TCHC staff work with tenants to help them meet the responsibilities of their tenancies, and where feasible, leverage resources and support of OCHE to work towards positive outcomes. In doing so, OCHE reviews each tenant file, identify process gaps, and provide systemic recommendations, where applicable. Since the establishment of OCHE, it have played a vital role to providing support to tenants to prevent evictions and to maintain tenancies through the key systemic recommendations made to TCHC. This report outlines the actions taken across TCHC in response to the series of recommendations made by OCHE over the last several years.

As well, TCHC recognizes the important role that the OCHE plays in supporting tenants and maintaining tenancies across the portfolio. It has been actively engaged in dialogue on how to better provide supports to tenants, and as a result, it supports the proposed mandate expansion of OCHE to review all tenant files prior to the L1 being served.

1. Revised Arrears Collection Process

In 2020, the restructuring efforts in the operations division led to the creation of regional operations teams and tenant service hubs; this provided the opportunity to revise the ACP based on previous observations and systemic recommendations of OCHE. Through this, the ACP was updated with an emphasis on personal contact, earlier intervention, and management of arrears through repayment agreements. As part of this work, a multi-disciplinary team including representation from OCHE, came together to undertake a full review of the ACP, which included a detailed review of all supporting policies, procedures, and resources. The new ACP was eventually implemented in June 2021 and placed focus on:

1. Alignment of key roles and responsibilities within the new regional and Hub structure;
2. Creation of systems and processes for flagging households incurring early arrears through the HoMES system;

3. Clearly defined timelines and follow up for each member of the integrated team;
4. Enhanced support through the Arrears Review Clerk (“ARC”) in the Tenancy Resolution Office (“TRO”);
5. Clear and compassionate tenant interactions and communications;
6. Streamlined procedures for the early referral of arrears files to OCHE for their expertise and support;
7. Provision of staff and tenant education; and
8. Alignment with the new RGI simplification rules.

2. Training

With the implementation of the new ACP, the multi-disciplinary team and OCHE partnered with Learning and Organizational Development (“L&OD”) to thoroughly document the new procedures and support the development and implementation of a training program. The training program was delivered in Q1 2021 prior to the implementation of the new ACP in Q2 2021. In addition, the new ACP is being reviewed and updated accordingly to align with the process that interface with the new HoMES system.

3. Process Oversight

As the tenant service hubs are established, local integrated Hub teams have become the primary point of contact on all tenancy issues. Furthermore, the Hub teams are supported through a “community of practice” with supervision and support being provided via the regional management teams; it is the regional management team’s responsibility to ensure compliance with policies and procedures, as well, as to develop and implement recommendations that will enable their team to prevent evictions and effectively support and maintain tenancies. On a monthly basis, the Operations leadership team meet with OCHE to provide oversight to the ACP; systemic barriers are identified and solutions are promptly generated and implemented.

In addition, the TRO is responsible to regularly meet with the Commissioner of OCHE to review referral processes, systemic recommendations and alignment of process improvement within the ACP.

4. Maintaining Tenancy

At TCHC, tenants have a responsibility to pay their rent on the first day of every month. Under the Residential Tenancies Act (“RTA”), tenants may be evicted for a number of reasons including, but not limited to, non-payment of rent, engaging in unlawful activity on TCHC property and acting in a way that interferes with the reasonable enjoyment of other tenants. TCHC works with tenants to help them meet the responsibilities of their tenancies and, when possible, to keep their housing by complying with the terms of their lease agreement. From time to time, despite the best efforts of staff to engage and resolve the arrears, staff are left with little option but to rely on the assistance of the Landlord Tenant Board (“LTB”) to seek a resolution; eviction remains a last resort when seeking a resolution at the LTB with emphasis given to mediating repayment agreements that are thoughtful, compassionate, and achievable to maintain the tenancy. In support of the new ACP, TCHC supports the recommended mandate expansion of OCHE to ensure that all eviction proceedings related to arrears must receive a thorough review by the OCHE team prior to proceeding with a termination. Through this work, it provides an added level of assurance and confidence that all efforts to sustain the tenancy have been taken. Lastly, over the last year, TCHC and OCHE have partnered to implement several programs aimed at targeted reviews and supports: hardened arrears program, quick referral program, and pre-eviction pilot program.

5. Continuous Improvement

As TCHC continues to work with OCHE to prevent evictions and maintain tenancy, personal contacts and payment options continue to be a key area of focus in supporting tenants in meeting the obligations under their leases. As part of this work, TCHC staff continues to explore enhancements to this program through:

1. The procurement and equipping the regional teams with debit/credit terminal machines;
2. Seek a review and renewal of our Memorandum of Understanding (“MOU”) and information sharing agreement with Toronto Employment and Social Services (“TESS”);

3. Increased access and awareness to Pre-Authorized Payment (“PAP”) options through lease signing; and
4. Increase collaborative opportunities with TESS, Office of Public Guardian and Trustee and Ontario Disability Support Program (“ODSP”) in “direct pay” options.

NEXT STEPS:

As TCHC and OCHE have taken steps to strengthening its partnership and approach to preventing eviction and maintaining tenancies, continued emphasis needs to be placed on the effective and timely follow-up of arrears, as it is essential in limiting the risk and impact to tenants. Through the regular oversight and process reviews by TCHC, with the input of key partners such as OCHE, it allows for increased opportunity to support and stabilize tenancies at risk through the timely and appropriate provision of support to tenants.

SIGNATURE:

“Sheila Penny”

Sheila Penny
Chief Operating Officer

STAFF CONTACT:

John Angkaw, Senior Director Business Operations
416-981-4318
John.Angkaw@torontohousing.ca

Richard Grotsch, Tenancy Resolutions Officer
416-981-4054
Richard.Grotsch@torontohousing.ca