



**Office of the Commissioner of Housing Equity (OCHE) – 2021 Work Plan Performance Appraisal**

The Office of the Commissioner of Housing Equity (OCHE) 2021 Work Plan has two sections:

1. New OCHE Projects: New items to be completed in 2021; and
2. Standing Items: Ongoing OCHE activities

OCHE Goals and Objectives	OCHE Actions	OCHE Key Performance Outcomes	Results
New OCHE Projects: New items to be completed in 2021			
1) In Partnership with TCHC's Tenant Resolution Office ("TRO") and Senior Management, the OCHE will work to develop a new policy and process for identifying and working with vulnerable tenants at TCHC, which will result in a 10% increase in referrals of vulnerable tenants to the OCHE by year-end 2021.	a) Work with TCHC's Tenant Resolution Office and Senior Management to develop a work plan in Q1 and establish a working group that includes external experts in the field of vulnerability.	a) i. A collaborative working group comprised of TCHC's Tenant Resolution Office, Senior Management and external experts will be developed, and a new policy and process for identifying and working with vulnerable tenants will be created by the end of Q2 2021.	a) i. Due to the constraints of COVID combined with the rollout of HoMES, the collaborative working group did not develop a new policy/process for identifying vulnerable tenants. However, following three Pilots executed by the OCHE in 2020 and 2021 the Pre-Eviction Audit Pilot (2021), the COVID Pilot (2020) and the Hardened Arrears Pilot (2020), the working group made a decision to seek approval of an expansion of the OCHE mandate to better serve all tenants and to remove the barriers of the subjective definition of vulnerability and the challenges of identifying vulnerable tenants. This change was approved on December 9, 2021, by the TCHC Board and ensures that all arrears files are referred to the OCHE prior to any eviction proceeding for the express purpose of avoiding the eviction of all TCHC tenants, including vulnerable tenants.

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			<p>Of note, the proportion of vulnerable files referred to the OCHE decreased by 19% from 2020 to 2021, during the time of COVID, which suggests that vulnerable tenants were not being accurately identified. This issue should be resolved by the new mandate change.</p> <p><b>Partially able to achieve</b></p>
	<p>b) Ensure that all stakeholders, including tenants, are involved throughout the policy development process.</p>	<p>b) i. Tenants and external stakeholders will be included in the development of the new policy and processes in collaboration with TCHC. The OCHE will identify potential stakeholders to TCHC for inclusion in the development of the new policy and process</p>	<p>b) i. External stakeholders were included in the decision to request a change to the OCHE mandate. The Toronto Ombudsman approached the Acting TCHC CEO and was extremely supportive of, and advocated to TCHC, for OCHE to review all files prior to being executed by the Sheriff. The Ombudsman also advocated for the mandate of OCHE to be expanded to all TCHC tenants to ensure that all tenants have equitable services and an eviction safety net. In addition, tenants were included in the discussions regarding potential policies to serve vulnerable tenants, such as those that participated in the Seniors Housing in Changing Cities: A Cross-National Exchange Conference with the OCHE for the purpose of ensuring tenant voices were represented at the policy table.</p> <p><b>Achieved</b></p>

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	<p>c) Offer training to tenant-facing frontline staff on the new policy and process to identify and work with vulnerable tenants.</p>	<p>c) i. The OCHE will offer 100% of TCHC tenant-facing staff training, in collaboration with TCHC, by year-end.</p>	<p>c) i. In March 2021, the OCHE participated in the HUB training for frontline staff which included training on the new ACP. One of the features of the new ACP is the emphasis on ensuring vulnerable tenants are identified and referred to the OCHE in a timely manner. The OCHE training focused on trust-building, engagement skills and the OCHE approach to working with tenants.</p> <p><b>Achieved</b></p>

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<p>2) In Partnership with TCHC, evaluate the new Arrears Collection Process ("ACP") to ensure the changes have been effective and that staff are complying with the new process.</p>	<p>a) The OCHE will collaborate with TCHC to complete an evaluation of the new ACP and review TCHC's compliance to ensure that the anticipated positive outcomes of the revised process are realized and identify areas requiring revision (if required).</p>	<p>a) i. The OCHE will provide a review and audit findings regarding the new ACP to TCHC staff and the Board of Directors by the end of Q2.</p> <p>a) ii. The OCHE will support TCHC in making revisions as needed to the new ACP (if required).</p>	<p>a) i. TCHC implemented the new ACP at the end of Q2 on June 28, 2021. Given this delayed roll-out timeframe, there has not been sufficient time to assess the effectiveness of the new ACP. The OCHE has received a total of only 4 files since the implementation of the new process and thus cannot provide a review and audit at this time.</p> <p><b>Unable to Achieve due to delayed implementation of new ACP</b></p> <p>a) ii. The OCHE worked closely with the TCHC senior management team in the development of the new ACP. An OCHE ERO also participated with TCHC frontline staff on a working committee to provide input on the issues faced by frontline workers. OCHE provided TCHC with recommendations for the new ACP which were accepted and included in the new process. These recommendations can be found in this report under the results of Goal and Objective 6.</p> <p><b>Achieved</b></p>

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	b) Ensure that all stakeholders, including tenants, are involved throughout the evaluation process.	b) i. The OCHE will engage with TCHC Tenants, internal and external stakeholders to participate in the evaluation and identify potential stakeholders to TCHC for inclusion in the evaluation of the new ACP.	b) i. In 2021, the OCHE included tenants, the Toronto Ombudsman and the TCHC senior management in discussions about the ACP and how it can better serve TCHC tenants.  <b>Achieved</b>

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<p>3) As the City moves into Phase one of a new Toronto Seniors Housing Corporation ("TSHC") through the Integrated Service Model (ISM) in 2021, work with the City of Toronto, the TCHC Seniors Housing Unit (SHU) Director to ensure that the key roles of the OCHE will be available to all senior tenants living in the two City Corporations and their tenancies are sustained.</p>	<p>a) Participate in the planning for this change in governance and work with the City of Toronto, TCHC and SHC to review the role of the OCHE.</p> <p>b) Work closely with the General Manager, Seniors Housing Unit (SHU) and the TSHC to develop a new processes to address arrears early and to incorporate Early Resolution Officers (EROs) interventions into the SHC's Arrears Collection Process.</p>	<p>a) i. The OCHE will have a clearly defined role in the structure, which will ensure that senior tenants have access to the OCHE's specialized services, to assist them with getting their support needs met and stabilizing their tenancies.</p> <p>a) ii. 100% of seniors who engage with the OCHE will be connected to the supports they require in order to sustain their tenancies.</p> <p>b) i. EROs will be integrated into the work of the City's TSHC and ISM to deliver services within the new structure, targeted specifically to address challenges specific to seniors.</p>	<p>a) i. Toronto Seniors Housing Corporation is currently in the process of establishing its governance and operations. The TSHC is not currently operational. The Commissioner continues to work closely with the General Manager of TCHC's SHU through monthly meetings to plan for the new structure and the new role and processes of the OCHE. In preparation, the Commissioner has also met with a Director on the TSHC Board to begin to explore auditing and reporting requirements of the new Board.</p> <p><b>Achieved</b></p> <p>a) ii. 100% (191/191) of seniors that worked with the OCHE were connected to required internal and external supports to sustain their tenancies.</p> <p><b>Achieved</b></p> <p>b) i. EROs have worked closely with the SHU this year to ensure that the new Seniors ACP is properly implemented and to ensure the uninterrupted continuation of service for seniors in arrears of rent. Given that the TSHC is not yet operational, the OCHE has not been able to fully offer services within the new structure.</p> <p><b>Partially Achieved</b></p>

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		<p>b) ii. Tenant arrears in the SHU will be reduced, due to the OCHE's early intervention, in 90% of the cases referred to the OCHE.<sup>1</sup></p> <p>b) iii. The OCHE's early intervention will result in the avoidance of evictions for seniors in 85% of cases.</p>	<p>b) ii. In 2021, the OCHE engaged with 83 tenants from the SHU, and reduced arrears of rent in 90% (75/83) cases.</p> <p style="text-align: center;"><b>Achieved</b></p> <p>b) iii. In 2021, the OCHE avoided eviction for 85% (191/226) of the seniors they engaged with.</p> <p style="text-align: center;"><b>Achieved</b></p>

<sup>1</sup> The OCHE process is voluntary for tenants; thus if OCHE is unable to resolve arrears, the CHE recommends that TCHC proceed to the Landlord Tenant Board (LTB) and thus arrears are not reduced but addressed through an LTB Order.

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<p>4) Work with TCHC to integrate the OCHE into the new restructuring plan (HUB Model) to ensure services are brought closer to where tenants live. Ensure that the OCHE is integrated into the new processes and structure so that the OCHE and TCHC can continue to deliver services consistently, efficiently and with accountability in the new model, focusing on a reduction of unmanaged Hardened Arrears<sup>2</sup>.</p>	<p>a) Work closely with the Chief Executive Officer ("CEO"), Chief Operating Officer (COO) and General Managers to ensure that the OCHE is integrated into the new HUB model and develop a process for the OCHE's early intervention in the ACP.</p>	<p>a) i. In Q1, the findings will be reviewed arising out of both 2020 pilots to determine their applicability to the HUB model. Specifically to determine if a direct referral process could be established between the TCHC HUBS and the OCHE and to determine whether cases should be referred to the OCHE earlier in the ACP.</p> <p>a) ii. If warranted, develop a direct referral process between TCHC and the OCHE, where cases are sent to the OCHE earlier in the ACP, by the end of Q2.</p>	<p>a) i. The OCHE worked closely with the CEO and COO as well as with TCHC management to plan how the OCHE's work will be integrated into the new HUB model. It has been decided that EROs will attend HUB team meetings and tenant-specific meetings as their expertise is required. Given the low number of EROs (6), it is not feasible to assign EROs to work with specific HUBs however they will be assigned to tenant cases as required and requested.</p> <p><b>Achieved.</b></p> <p>a) ii. The OCHE reviewed the pilots in Q1 to determine the viability of a direct referral process between the OCHE and the TCHC HUBs. The referral process was updated to eliminate the onerous administrative requirements for TCHC and to ensure quick and efficient referrals to the OCHE early in the process while ensuring that TCHC frontline staff first work with the tenants. This has resulted in a new referral process that is more efficient at addressing arrears earlier in the process and avoiding the accumulation of arrears.</p> <p><b>Achieved</b></p>

<sup>2</sup> TCHC defines hardened arrears as tenants whose arrears have accumulated for more than one year.



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	<p>b) Collaborate with the Chief Executive Officer ("CEO"), Chief Operating Officer (COO) and General Managers to develop a process for addressing longer-term arrears and reducing unmanaged Hardened Arrears by 75%.</p>	<p>b) i. In Q1, review findings from the 2020 Hardened Arrears Pilot to determine if a new approach should be adopted to address longer term arrears in the new HUB model.</p> <p>b) ii. If warranted, the OCHE will develop a new approach to address longer-term arrears in the new HUB model by the end of Q2.</p> <p>b) iii. Files with unmanaged Hardened Arrears referred to the OCHE will be managed and reduced in 75% of cases where tenants engage with the OCHE.</p>	<p>b) i. The OCHE reviewed the results of the Hardened Arrears Pilot and determined that the focus on hardened arrears was effective in addressing difficult to resolve arrears situations and avoiding evictions of long-term TCHC tenants.</p> <p><b>Achieved</b></p> <p>b) ii. The quick referral process was implemented with an aim to avoiding the future accumulation of hardened arrears in the HUBs. It was decided that EROs would work within the HUBs to provide support and capacity building for TCHC frontline staff as requested. This integration is taking the form of participation in HUB meetings, TSC team meetings and ad hoc requests for assistance.</p> <p><b>Achieved</b></p> <p>b) iii. The OCHE reduced and managed the arrears in 83% (123/149) of the cases where tenants had accumulated hardened arrears.</p> <p><b>Exceeded</b></p>

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	<p>c) Create opportunities for the OCHE and TCHC to work closely in order to develop collaborative relationships between the OCHE and HUB teams.</p>	<p>c) i. 100% of the OCHE staff will participate in HUB simulations as HUB's are opened.</p> <p>c) ii. ERO's will work with HUB staff to resolve complex arrears cases.</p> <p>c) iii. The OCHE will provide training on the OCHE Approach to ensure knowledge transfer from the OCHE to TCHC tenant-facing frontline staff.</p>	<p>c) i. 100% of OCHE staff participated in one or more HUB simulations.</p> <p><b>Achieved</b></p> <p>c) ii. EROS are working with HUB staff as requested to resolve complex arrears cases. Cooperation is at an all-time high and both OCHE and TCHC staff report that the collaboration is resulting in better outcomes for tenants.</p> <p><b>Achieved</b></p> <p>c) iii. The OCHE provided training to frontline staff on the new ACP in February and March 2021.</p> <p><b>Achieved</b></p>

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Standing Items: Ongoing OCHE activities			
5) Support senior and vulnerable tenants to ensure successful tenancies and reduce the need for eviction from TCHC by effectively addressing underlying issues related to the accumulation of arrears and by brokering repayment agreements between TCHC and tenants.	a) The OCHE will connect with tenants to identify and address underlying issues leading to arrears in order to reduce them and ensure future ability to pay rent on time.	a) i. Early Resolution Officers will successfully engage with tenants and identify underlying issues, which will then be communicated to TCHC to increase service delivery quality in 80% of the tenants referred to them. <sup>3</sup>	a) i. The OCHE EROs successfully engaged with 93% (333/359) of tenants to identify and communicate the underlying issues leading to arrears to TCHC.  <b>Exceeded</b>
	b) The OCHE will broker repayment plans between tenants and TCHC.	b) i. Early Resolution Officers will successfully broker repayment agreements with 100% of the tenants the OCHE engages with.	b) i. The OCHE EROs brokered repayment agreements for 100% (172/172) of the tenants in cases where the tenant worked with the OCHE, and the arrears were not resolved fully by another means.  <b>Achieved</b>
	c) The Commissioner will provide TCHC with case-specific findings on each case, including case management recommendation improvements and audit findings.	c) i. The Commissioner will provide reports for each case that summarize key findings and includes forward-looking recommendations to TCHC for continuous service improvement to ensure that the tenancies are sustainable after the file is returned to TCHC for ongoing case management.	c) i. The Commissioner provided individual reports to TCHC regarding all 359 tenants the OCHE completed working with in 2021. The Reports summarized the key audit findings and provided forward-looking recommendations for service improvement and ongoing case management where applicable. The Recommendations were composed of both systemic recommendations to the organization as a whole and tenant specific recommendations.  <b>Achieved</b>

<sup>3</sup>Referrals to the OCHE by TCHC are mandatory but engagement by TCHC tenants is voluntary.

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		c) ii. Underlying issues will be identified for TCHC in 100% of cases in which the OCHE worked in order to assist TCHC with managing the tenancy and the arrears long-term.	c) ii. The OCHE identified the underlying issues for 100% (333/333) of the tenants who engaged with an ERO to assist TCHC to sustain the tenancy long-term.  <b>Achieved</b>
	d) Support tenants to pay off the arrears owing to TCHC within the shortest time possible, taking into account the financial resources available to the tenants and the size of arrears accumulated.	d) i. 100% of tenants will be connected with internal and external supports to address underlying issues contributing to arrears, such as mental health challenges or financial illiteracy.  d) ii. 90% of tenants referred to the OCHE will be set up to pay their rent directly to TCHC by having PAP or direct payments set up.  d) iii. 100% of repayment plans will be based on the financial circumstances of the tenants, including the completion of a budget document.  d) iv. Tenants will be set up with voluntary trustees as needed and direct payment to TCHC to assist in their ability to pay rent.	d) i. The OCHE connected 100% (254/254) of tenants to internal and external supports when required. (i.e., budgeting, mental health agencies, voluntary trustees)  <b>Achieved</b>  d) ii. The OCHE set up direct payments or PAP for 42%(107/257) of tenants they worked with.  <b>Unable to Achieve<sup>4</sup></b>  d) iii. The OCHE completed a budget document for 100%(172/172) of the repayment agreements they brokered.  <b>Achieved</b>  d) iv. The OCHE determined that 11 tenants required assistance in managing their funds and therefore referred them to voluntary trustees.  <b>Achieved</b>

<sup>4</sup> Due to COVID, many senior and vulnerable tenants feared leaving their homes, therefore making it difficult to setup direct payments at financial institutions.

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			<p>In addition to the performance outcomes which were established when this Work Plan was created, in 2021, the OCHE worked with TCHC Senior Management to establish the Pre-Eviction Audit Pilot. This Pilot required the OCHE to conduct a process audit of all files, including those of the family portfolio, which were scheduled for eviction by the Sheriff. The purpose of the audit was to identify any significant errors<sup>5</sup> in the process. The OCHE reviewed 40 tenant files and determined that 28% (11/40) of them contained significant errors. In these cases, the OCHE recommended that the tenants not be evicted.</p> <p>Given that the error rate represents almost a third of the files audited, TCHC determined that it required the OCHE commence reviewing all TCHC arrears files prior to filing an <i>Application to Evict a Tenant for Non-Payment of Rent and to Collect Rent a Tenant Owes</i> (“L1 Application”). The Commissioner agreed to support TCHC’s request and brought this request to the Board of Directors on December 9, 2021.</p> <p><b>Exceeded</b></p>

<sup>5</sup> An error that significantly contributed to TCHC’s decision to evict a tenant and likely would have resulted in the continuation of the tenancy had the error not occurred.

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	<p>e) Track repayment agreements and monitor for compliance via breaches referred back to the OCHE.</p>	<p>e) i. The OCHE will conduct a fulsome review of all breached files to determine if the circumstances leading to the breach were exceptional and warrant the OCHE's further involvement.</p>	<p>e) i. The OCHE conducted a fulsome audit of all breach files (69) and determined that 52% (36/69) had exceptional circumstances leading to the breach and warranting further OCHE involvement. In these cases, the EROs engaged with tenant to renegotiate repayment terms and to provide any required support.</p> <p>In 48% (33/69) of cases, the OCHE determined that there were no exceptional circumstance leading to the breach and recommended TCHC proceed to file an L1 with the LTB.</p> <p><b>Achieved</b></p>
	<p>f) Connect tenants with external funding available to repay arrears directly to TCHC and connect tenants with options to lower their financial obligations, i.e. reduced cost cable service, credit counseling.</p>	<p>f) i. The OCHE will identify possible external income sources available to tenants and a minimum of 50% of Tenants who work with the OCHE will be connected with income sources resulting in a lump sum direct payment of arrears to TCHC<sup>6</sup>.</p> <p>f) ii. Lump-sum direct payments will be made by tenants to TCHC to reduce arrears owed by tenants referred to OCHE.</p>	<p>f) i. The OCHE connected 43% (121/284) of tenants they worked with to additional income sources, resulting in \$227,671 in total lump-sum payments made to TCHC to lower tenants' arrears.</p> <p><b>Partially Achieved</b></p> <p>f) ii. Of the 121 tenants indicated in f) i., 66 tenants made direct payments accessing their own financial resources and representing \$127,262 deposited directly to TCHC's account.</p> <p><b>Achieved</b></p>

<sup>6</sup> This is a conservative estimate as many tenants do not qualify for any additional external funding or subsidies.

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	<p>g) Breached OCHE brokered repayments will be assessed by OCHE to identify if any additional supports/intervention will result in arrears being repaid and evictions avoided.</p>	<p>g) i. The OCHE will work with 100% of tenants who have breached their first brokered repayment agreement only if the tenants have demonstrated exceptional circumstances.</p>	<p>g) i. The OCHE re-assessed 100% (69/69) of files re-referred due to tenants breaching their first OCHE-brokered repayment agreements.</p> <p>In 26 cases, the OCHE re-brokered agreements and provided new supports. In these cases, files were monitored to ensure compliance with the OCHE brokered repayment.</p> <p><b>Achieved</b></p>

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	<p>g) Breached OCHE brokered repayment plans will be reviewed to determine the reasons the agreement failed and learnings will be incorporated into the OCHE processes going forward and communicated to TCHC for continuous systemic improvement.</p>	<p>g) ii. In 100% of the cases, the OCHE will identify and advise TCHC of the reason(s) for failed TCHC and OCHE brokered repayments.</p> <p>g) iii. The OCHE will consider exceptional circumstances as rare unforeseen hardships beyond tenants' control and those which have a significant impact on tenants' ability to meet the terms of repayment agreements. The OCHE has examined the underlying reasons why the repayment agreement failed and communicates findings to TCHC to facilitate ongoing process improvement and continuous learning.</p>	<p>g) ii. The OCHE identified and advised TCHC on the reason for failed repayment agreements in 100% (68/68) of cases. This provided information to TCHC regarding the underlying causes for breached repayment plans in order to inform the future development of successful repayment agreements.</p> <p><b>Achieved</b></p> <p>g) iii. The OCHE identified and communicated findings of exceptional circumstances faced by tenants to TCHC which resulted in the breach of repayment plans in 100% (36/36) of the cases.</p> <p><b>Achieved</b></p>



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<p>6) Ensure the accountability of the OCHE's work to ensure quality service is provided to tenants by ensuring TCHC compliance with OCHE recommendations.</p>	<p>a) Develop and deliver quarterly process improvement recommendations to TCHC.</p>	<p>a) i. The OCHE will ensure process improvement by providing strategic advice to TCHC regarding the Arrears Collection Process.</p>	<p>a) i. In Q1 and Q2 the OCHE provided the following seven recommendations for improvements to the ACP, which were implemented in the rollout of the new ACP on June 28, 2021:</p> <ul style="list-style-type: none"> <li>• That the Notice to Terminate the Tenancy should be served consistently and served early in the process (between the 13th and 15th calendar day of the first month of arrears).</li> <li>• That frontline staff should be provided ongoing training on how to engage with tenants effectively.</li> <li>• That frontline staff set appointment times with tenants rather than rely on walk-ins at the HUBs. This is important not only to respect tenants' time, but also because it makes workflow more efficient.</li> <li>• That TCHC refer unresolved arrears files to the OCHE earlier in the process.</li> <li>• That TCHC work with the OCHE to develop a new, more customer-friendly and readable letter for tenants to advise them of their arrears, rental obligations and rights.</li> </ul>

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		<p>a) ii. The OCHE will deliver one process improvement recommendation on a quarterly basis.</p>	<ul style="list-style-type: none"> <li>• Since the rollout of the ACP, the OCHE and TRO have met to make amendments to it, specifically with respect to the language related to the referral process to the OCHE.</li> <li>• That frontline staff should spend more focused time with the tenants to explore the underlying reasons for the accumulation of arrears.</li> </ul> <p><b>Achieved</b></p> <p>a) ii. The OCHE provided several recommendations for process improvements to TCHC each quarter in the following areas:</p> <ul style="list-style-type: none"> <li>• Arrears Collection Process</li> <li>• Training for TCHC Staff</li> <li>• Tracking Systems for Recommendations</li> <li>• Non-Compliance with Policy and Procedure</li> <li>• Administrative Delays and Inefficient use of Resources</li> <li>• Unreliable Internal Information</li> <li>• Quality of Service</li> </ul> <p><b>Exceeded</b></p>

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	<p>b) Ensure that audit findings will be reported to the TCHC Board and Senior Management on a regular basis.</p>	<p>b) i. The OCHE will provide strategic policy and process advice to TCHC on a regular basis by delivering process improvement recommendations.</p>	<p>b) i. The Commissioner engaged with TCHC Senior Management on a monthly basis and as needed, to provide strategic policy and process advice. Many of the recommendations provided during 2021 are outlined previously in this report.</p> <p>The Commissioner also presented recommendations for process improvement through tenant-specific reports which include both systemic and individual case recommendations with an aim to improving TCHC processes and policies.</p> <p>The Commissioner engaged in regular reporting to the TCHC Board of Directors. This reporting included two bi-annual reports, OCHE and CHE work plans and appraisals and ad hoc reports as requested.</p> <p>On December 9, 2021, the OCHE also provided the Board of Directors with a Systemic Recommendations Report, outlining all systemic recommendations made by the Commissioner to TCHC from 2019 until September 30, 2021.</p> <p>The intent of all OCHE reporting is to ensure that the TCHC’s strategic process and policy development is informed by the audits and findings of the OCHE.</p> <p><b>Achieved</b></p>