

**Briefing Note:** For Information

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**To:** Tenant Services Committee

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**From:** Sheila Penny, Acting President and Chief Executive Officer

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**Date:** April 27, 2021

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**Re:** In-Camera Action Item 1 – Office of the Commissioner of Housing Equity

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At its meeting of February 26, 2021, the Board of Directors requested that the President and CEO coordinate a meeting with the Deputy City Manager's office to get insight into the City's plans for the future role of the OCHE, and report back to the TSC at this meeting.

Since that meeting, City staff have submitted a report entitled "[Implementing Tenants First: Creating a Seniors Housing Corporation](#)" to the City's Executive Committee. The report is expected to be considered, by the Executive Committee on Thursday April 29, 2021 and by Council at its meeting of May 5-6, 2021.

The report addresses, in part, the implications, for the Office of the Commissioner of Housing Equity, of the City's creation of the Toronto Seniors Housing Corporation. In this regard, City staff recommend that:

9. City Council request the respective Boards of Directors of Toronto Community Housing Corporation and Toronto Seniors Housing Corporation in consultation with the Office of the Commissioner of Housing Equity, to enter into a shared service agreement, with respect to reporting procedures, resources, and funding requirements for a transitional period of two years to enable the Office of the Commissioner for Housing Equity to continue providing services to tenants of Toronto Seniors Housing Corporation in accordance with the Office of the Commissioner for Housing Equity Terms of Reference approved by the Toronto Community Housing Corporation Board of Directors from time to time.
10. City Council request the Chief Executive Officer of Toronto Seniors Housing Corporation, once appointed by the Board of Directors for Toronto Seniors Housing Corporation, to review arrears and eviction data of Toronto Seniors Housing Corporation for the transition period referred to in Recommendation 9 above and develop recommendations to the Board of Directors regarding a

mechanism to oversee compliance with policies and procedures as they relate to evictions for arrears and loss of eligibility prior to the end of the two-year transition period referenced in Recommendation 9.

In support of these recommendations, City staff advise that:

***An Interim Solution to Continue Providing Office of the Commissioner for Housing Equity Services to Toronto Seniors Housing Corporation Tenants***

In creating a new corporation to assume operation of the 83 seniors-designated buildings, special consideration must be given to how to provide service continuity for senior tenants. In particular, the Office of the Commissioner for Housing Equity's terms of reference, which were set by the Toronto Community Housing Corporation Board of Directions, do not permit it to serve tenants outside Toronto Community Housing Corporation. It is within the Toronto Seniors Housing Corporation Board of Directors' purview to determine what kind of mechanisms it wants to oversee compliance with policies and procedures as they relate to evictions for arrears and loss of eligibility. Staff anticipate, however, that this determination should be made after Toronto Seniors Housing Corporation has been operational for a period of two years.

In order to maintain service levels for tenants of Toronto Seniors Housing Corporation in those two years, City staff reviewed options for interim solution to bridge the Office of the Commissioner for Housing Equity's services for tenants while minimizing disruption. The review considered risks relating to governance, accountability, employment, as well as financial implications.

This report recommends that Toronto Seniors Housing Corporation and Toronto Community Housing Corporation sign a shared services agreement in which Toronto Community Housing Corporation shares the Office of the Commissioner for Housing Equity's services with Toronto Seniors Housing Corporation for a period of not more than two years. While the content of the agreement will remain a point of negotiation with both Boards of Directors, staff recommend the agreement provide for a continuity of service in line with the Office of the Commissioner for Housing Equity's Terms of Reference, along with a mechanism for the Commissioner to provide regular reporting to the Toronto Seniors Housing Corporation Board of Directors.

In this interim arrangement, the Commissioner and the Office of the Commissioner for Housing Equity remain employees of Toronto Community Housing Corporation, and continue reporting to the Toronto Community

Housing Corporation Board of Directors. The Office of the Commissioner for Housing Equity will continue to provide the same services to tenants of Toronto Seniors Housing Corporation. The Toronto Seniors Housing Corporation Board of Directors will have to decide how it wishes to receive information from the Commissioner.

### ***Long Term Options***

While the OCHE continues to provide service to Toronto Seniors Housing Corporation tenants in this interim period, Toronto Seniors Housing Corporation will begin work to review eviction and arrears data, as well as other outcomes stemming from the Integrated Service Model in order to present options to its Board of Directors regarding a long-term mechanism to oversee compliance with policies and procedures as they relate to evictions for arrears and loss of eligibility.

Established in 2014, the Office of the Commissioner for Housing Equity plays a critical role in supporting vulnerable and senior Toronto Community Housing Corporation tenants facing evictions and enabling them to remain housed while addressing their arrears. The Office of the Commissioner for Housing Equity delivers three key roles:

1. Review files to ensure Toronto Community Housing Corporation has followed proper processes
2. Resolve rental arrears and loss of subsidies through case management; and
3. Recommend changes to procedures to the Toronto Community Housing Corporation Board.

As reported to Council in 2020 through [EX17.2](#) the Office of the Commissioner for Housing Equity has been successful in reviewing and resolving tenancy issues through specialized service but has experienced some internal challenges with receiving proper referrals of vulnerable tenants.

### ***Aligning Office of the Commissioner for Housing Equity and Housing Commissioner Roles***

City Council, in its adoption of the City's 10 year housing plan "HousingTO 2020-2030 Action Plan", directed the City Manager to establish the role or function of a Housing Commissioner to independently assess implementation of the revised Toronto Housing Charter and the HousingTO 2020-2030 Action Plan and ensure that the City, within its legislative authorities, and through

implementation of various programs and policies, is taking concrete actions to combat systematic housing discrimination and address systemic hurdles in the housing system. Subsequently, in October 2020, City Council directed the City Manager to review alignment of the Office of the Commissioner for Housing Equity and Housing Commissioner roles, where possible. The City Manager is planning to provide an update to Council in 2021 on the work to establish a Housing Commissioner role or function.

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During the Tenant Services Committee meeting, it is anticipated that TCHC management will be able to provide additional information regarding the nature of the discussions that have taken place, both with City staff, and during the course of the City's Executive Committee meeting, in relation to this matter.