

Toronto Community Housing



Office of the Commissioner of Housing Equity's 2023 Work Plan Performance Appraisal

Item 7

February 5, 2024

Tenant Services Committee

Report: TSC:2024-03

To: Tenant Services Committee ("TSC")

From: Interim Commissioner of Housing Equity

Date: January 15, 2024

PURPOSE:

The purpose of this report is to provide the TSC and the Board of Directors with the Office of the Commissioner of Housing Equity's ("OCHE") Work Plan results for 2023.

RECOMMENDATIONS:

It is recommended that the TSC review and approve the OCHE 2023 Work Plan Performance Appraisal and forward it to the Board for its review and approval.

REASONS FOR RECOMMENDATIONS:

The OCHE 2023 Work Plan Performance Appraisal describes the actions taken to achieve the 2023 Work Plan goals.

IMPLICATIONS AND RISKS:

The OCHE provides the Board with oversight of TCHC's operations in the area of evictions for arrears of all tenants. The OCHE reports regularly on its activities and TCHC's performance in the areas within the OCHE's jurisdiction. This regular reporting by the OCHE ensures the Board is aware

of the OCHE's activities taken on its behalf and that they continue to align with the goals of the Board and TCHC.

SIGNATURE:

"Melanie Martin"

Melanie Martin
Interim Commissioner of Housing Equity

ATTACHMENT:

1. OCHE – 2023 Work Plan Performance Appraisal

STAFF CONTACT:

Melanie Martin, Interim Commissioner of Housing Equity
437-997-3687
Melanie.Martin@oche.ca

Goal 1: Ensuring Successful Tenancies

The core work of the OCHE is to fulfil the expectations outlined in the Terms of Reference for the purpose of ensuring successful tenancies for people whose tenancies are at risk due to arrears of rent or losses of subsidy. In January 2022 the OCHE’s mandate expanded to include all TCHC tenants, which resulted in significant changes to the flow of referrals. This has resulted in the OCHE evaluating its case management practices, to ensure that the OCHE is used as a last resort to ensure successful tenancies.

Measurable Outcomes:

OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE Targets 2023	Results
Goal 1¹ Ensure successful tenancies and address underlying issues leading to arrears of rent of all TCHC and	1.1 Manage referrals to the OCHE through supporting TCHC to resolve more arrears files through the application of the Stage 1 Checklist.	1.1 All cases referred to the OCHE have a completed N4 Checklist and have been screened to ensure TCHC has completed Stage 1 of the ACP and attempted to resolve the arrears before OCHE referral.	1.1 In 2022 the OCHE was referred 962 cases ² from TCHC as compared to 2021 where the OCHE was referred 478 cases. This increase was a result of the OCHE’s mandate expanding to include all TCHC tenants in arrears. In 2023 we expect this number to decrease to approximately 600 cases	In 2023 the OCHE was referred 802 cases from TCHC ⁴ and sent back 27% (217/802), leaving 585 to be reviewed. In 2023, the OCHE issued 529 reports to TCHC managing arrears of \$4,116,571.30 ⁵ and avoided eviction in 80% (426/529) of cases. Achieved

¹ TCHC Strategic Goal – To support the rights of every tenant to have reasonable enjoyment in their homes.

² 15% (149/962) of files were sent back to TCHC.

⁴ In 2023, the OCHE received 218 cases from TSHC and sent back 17% (37/218), leaving 181 to be reviewed.

⁵ See Appendix 1.1 for TCHC breakdown.

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OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE Targets 2023	Results
TSHC tenants in arrears.	<p>Identify and address underlying issues leading to the accumulation of arrears.</p> <p>Provide practical solutions to address the underlying issues leading to arrears.</p> <p>Prevent evictions and reduce arrears in the cases where</p>	<p>All tenants whose arrears are resolved through the OCHE have worked with the ERO to determine the root cause of the arrears.</p> <p>All tenants whose arrears have been resolved were offered practical solutions that address the root cause of the arrears.</p> <p>Evictions are avoided.</p>	<p>as per the numbers below broken down by referral type.</p> <p>In 2022 the OCHE avoided eviction for tenants in the TSHC in 88% (88/100) of cases and expects the number in 2023 to be comparable at 85% (approximately 100 cases).</p> <p>In 2022 the OCHE avoided eviction for TCHC tenants deemed senior and/or vulnerable in 77% (214/279) of cases. This is the OCHE’s original mandate and it is expected that the number of cases referred to the OCHE from this group in 2023 will not change significantly and that the rate to avoid eviction will be 80%.</p> <p>In 2022 the OCHE avoided evictions for tenants from the family portfolio in 69% (317/412) of cases. Of these 27%</p>	<p>In 2023, the OCHE issued 160 reports to TSHC managing arrears of \$534,742.43⁶ and avoided eviction in 91% (146/160) of cases. Achieved</p> <p>In 2023 the OCHE avoided eviction for TCHC tenants deemed senior and/or vulnerable in 82% (172/209) of cases. Achieved</p> <p>In 2023 the OCHE avoided eviction for tenants from the family portfolio in 79% (254/320) of cases. Of these 25%</p>

⁶ See Appendix 1.2 for TSHC breakdown.

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OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE Targets 2023	Results
	tenants engaged with EROs.		(126/412) of households were tenants receiving income from social assistance. Given that TCHC will start resolving these cases, before a referral to the OCHE is made, it is predicted that the OCHE will receive approximately 150 cases ³ (1/3 less than 2022) from this category and resolve the need for eviction in 80% of cases.	(81/320) of households were tenants receiving income from social assistance. The OCHE predicted that in 2023, it would receive approximately 150 cases (or 1/3 less) than it did in 2022. This occurred, as the OCHE received 81 cases where the tenants were receiving income from social assistance as compared to 126 cases in 2022, resulting in a 36% decrease in referrals from this category. Achieved
	1.2 Re-instate income for tenants who have lost their income due to not filing taxes, not providing documents to social assistance, or becoming ineligible	1.2 Tenants who have lost their income, have been assisted to re-apply or to apply for a new source of income.	1.2 In 2022 – There were 44 cases where the tenant lost a sources of income from failing to file taxes, provide documents to social assistance, or become ineligible for a particular income source. The OCHE connected these tenants with an income stream in 80% (35/44) of these cases.	In 2023, there were 88 cases where a tenant lost a source of income from failing to file taxes, provide documents to social assistance, or become ineligible for a particular income source. The OCHE EROs supported these tenants and successfully re-established their income stream in 98% (87/89) of these cases. Achieved

³ The total number of cases may be reduced further with the introduction and training on the enhanced N4 Checklist, which will ensure that a more fulsome attempt to resolve the arrears is made by TCHC staff prior to referring to the OCHE.

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OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE Targets 2023	Results
	for a particular income source.	Tenants who have not filed income tax returns are assisted and supported to do so.	In 2023 the percent of Tenants who engaged with an ERO and had reduced or no income will remain the same: <ul style="list-style-type: none"> • 80% will have their income re-established with the assistance of the ERO. 	
	1.3 Support Tenants to complete and submit Annual Income and Assets Review or 'In-Year' Reviews to prevent losses of subsidy or to reverse losses of subsidy which have taken effect.	1.3 Tenants' subsidies have been reinstated reducing the arrears balance. Tenants' subsidies were not revoked, preventing a future arrears scenario.	1.3 In 2022 the OCHE was referred 120 files with an LOS or pending LOS and resolved 58% (70/120). Of the 120 referred to the OCHE 50 were from the family portfolio and 60% (30/50) were unable to be resolved, as they engaged and then disengaged from the process, did not provide documents or wanted to resolve the matter at the LTB. Of the files referred to the OCHE with an LOS or pending LOS in 2023, from the family portfolio, 60% will be resolved and from the remaining portfolios 85% will be resolved.	In 2023 the OCHE was referred 181 files with an LOS or pending LOS and resolved 95% (176/181) of the cases. Of the 181 cases referred to the OCHE, 86 were from the family portfolio and the OCHE resolved the matter in 97% (84/86) of cases. Of the 95 cases referred from the remaining portfolios the matter was resolved in 95% (90/95) of cases. Achieved

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OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE Targets 2023	Results
	<p>1.4 Broker reasonable repayment agreements that consider the Tenants' financial circumstances.</p>	<p>1.4a Tenants participate in financial literacy and budgeting exercise before entering an LRA.</p>	<p>1.4a In 2022 the OCHE brokered 402 LRAs and 77% (331/402) of files had a budgeting exercise completed.⁷ Of the files that require an LRA in 2023, the ERO will complete a budgeting exercise in 80% of cases.⁸</p>	<p>In 2023 the OCHE brokered 413 LRAs and the ERO completed a budgeting exercise in 89% (368/413) of these cases. Achieved</p>
		<p>1.4b Of the tenants OCHE engaged with where underlying issues were identified, provide that tenant with additional support/services to address underlying issues.</p>	<p>1.4b In 2022 the OCHE was able to successfully engage with 791 households and 67% (533/791) were identified with underlying issues and 100% were referred to external and internal agency resources. In total 855 referrals were made. In 2023, of all files where an underlying issue is identified, 100% of</p>	<p>In 2023 the OCHE was able to successfully engage with 570 households and 70% (400/570) were identified with underlying issues and 100% were referred to external and internal agency resources. In total 557 referrals⁹ were made. Achieved</p>

⁷ 15% (62/402) of Tenant's that were offered a budgeting exercise declined to take it.

⁸ In 2023 the OCHE plans to train TCHC on how to complete a budgeting exercise, which will result in TCHC potentially brokering more sustainable LRAs and reduce the number of files that are referred to the OCHE.

⁹ Top 5 referrals: 1. Set up on direct payments (124); 2. Tax Support (53); 3. TCHC Staff (30); 4. Income Applications (24); 5. Verifying Income (23)

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OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE Targets 2023	Results
			tenants who consent will be connected to a resource to support that issue.	

Goal 2: Training

The OCHE Terms of Reference identify the role OCHE should play in building capacity at TCHC and TSHC. This can only be accomplished through mentorship, case conferencing, and specific module based training with a focus on engagement with tenants and understanding systemic barriers faced by tenants. In 2022, the OCHE began receiving all files of tenants in arrears of rent, and it was quickly noted that the OCHE cannot be relied on to intervene on every arrears file. The OCHE can and should be utilized as a support to front line staff in assisting them to resolve arrears files without the need for OCHE in many more instances.

Measurable Outcomes:

OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE Targets 2023	Results
Goal 2¹⁰ The OCHE will work collaboratively with TCHC to continue to improve the	2.1 Attend OPS meeting with senior managers at TCHC to problem solve.	2.1 New ACP created and rolled out with appropriate training and support to frontline staff.	2.1 As per TCHC, Full ACP training will occur by the end of Q3. This training will result in a reduction in number of referrals to the OCHE from the family portfolio by 30%, as staff will	A revised ACP is still in development by TCHC and is expected to be completed and implemented by Q2 2024. As a result, the OCHE was not able to complete training on the new ACP in 2023, and it

¹⁰ TCHC Strategic Goal – To empower frontline leadership and employees in resolving issues locally to support tenants.

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OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE Targets 2023	Results
<p>ACP and to train staff with a focus on improving client service experience, reducing evictions, and improving compliance with the ACP.</p>	<p>OCHE participation in remaining Kaizen meetings</p> <p>OCHE participation in redrafting ACP</p> <p>OCHE participation in Tenancy Management Communications</p>		<p>be resolving more cases at the beginning of the ACP and only referring those case where tenants require additional support to sustain their tenancy.</p>	<p>was moved to the 2024 Workplan for completion.</p> <p>Despite the new ACP training not being completed, it should be noted that referrals to the OCHE were reduced by 28% in 2023 (585) when comparing referrals received from TCHC in 2022 (813). This reduction can be attributed to the introduction of the Stage 1 Checklist; training on how to use the checklist; and the work with tenants on social assistance to manage their arrears at the local level.</p> <p>The OCHE team worked closely with TCHC in 2023 and participated in the following initiatives:</p> <ul style="list-style-type: none"> • Attended 12 Kaizen meetings. • Met with Senior management to discuss the redrafting of the ACP. • Made recommendations which were accepted by TCHC and presented to the Board in the January 1 to June 30, 2023

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OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE Targets 2023	Results
				<p>Bi-Annual Report (Accepted by the Board of Directors on October 27, 2023).</p> <ul style="list-style-type: none"> Supported TCHC with Tenancy Management Communications related to the OCHE training that was rolled out in 2023. <p>Achieved</p>
	<p>2.2 The OCHE will provide training materials and staff resources to support TCHC in their training goals related to the ACP and engagement with tenants.</p>	<p>2.2 Case Conferences will occur bi-weekly via Webex and will consist of Workshop Sessions followed by case discussions. Initial workshops will cover the following: working with OW/ODSP caseworkers; budgeting; brokering effective LRAs; updated referral process to OCHE.</p>	<p>2.2 Between March and June 2023 train TCHC frontline staff¹¹ on the updated ACP, tenant engagement, and systemic barriers tenants face.</p>	<p>In 2023 the OCHE completed 25 individual training sessions to an average of 150 TCHC front line staff. The training covered the following subject areas: the Stage 1 Checklist, Budgeting and Brokering Local Repayment Agreements, Documentation Standards and on accessing the Housing Stabilization Fund. The feedback from staff has been positive. In providing this training, the goal was to reduce the number of files that required an OCHE intervention. As the number of files referred to the OCHE decreased by approximately 1/3 in 2023</p>

¹¹ TCHC to identify the number of staff that will be trained

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OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE Targets 2023	Results
		<p>Topics to evolve according to Staff needs.</p>	<p>Case conferencing for Front Line staff to present cases to OCHE Senior Advisor or Designate every two weeks.</p>	<p>from 2022, this training appears to be helping.</p> <p>For 2024, the OCHE plans to work closely with TCHC to develop KPIs for frontline staff so that their adherence to the ACP can be quantified, and appropriate support can be provided to staff as needed.</p> <p>Achieved</p> <p>In 2023, the OCHE provided 16 sessions to TCHC staff where they were invited to discuss their cases with Early Resolution Officers. This achieved two important goals:</p> <ol style="list-style-type: none"> 1. It helped to improve relations between TSCs and EROs 2. It helped the OCHE to identify relevant topics for training throughout 2023. <p>In 2024, the OCHE plans to continue offering these case conferences to frontline staff. The OCHE reviewed the success of these sessions and determined that improvements could be made to ensure</p>

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				<p>these continue to be well attended and relevant. We will be making some changes after receiving feedback from participating TSCs and their managers in 2024.</p> <p>Additionally, based on some of the questions being raised in these conferences, the OCHE has identified areas where TCHC could provide training to staff that is not related to the OCHE process.</p> <p>Achieved</p>

Goal 3: Reporting

The OCHE has a large reporting function. The OCHE will report to the TCHC Board of Directors via the Tenant Services Committee through two Bi-Annual Reports and to the TSHC Board of Directors via the Quality and Tenant Engagement Committee through four Quarterly Reports. These reports will contain updated information on the OCHE’s progress toward the Work Plan Goals as well as an analysis of how each corporation is doing with respect to the four categories of systemic audit recommendations which we began using in 2022.

In addition to this regular reporting function, in 2023 the OCHE has committed to studying and reporting on two additional items: the Family Portfolio, and the success/failure of Local Repayment Agreements. By conducting surveys of breached OCHE LRA’s and TCHC LRA’s, we can examine the effectiveness of the LRA process, learn of barriers that prevent the Tenant’s successful completion of arrears obligations, and determine if there are areas we can improve the process to ensure Tenant’s successfully meet arrears obligations and ensure stable housing is achieved.

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The OCHE will report to TCHC and the Board on the trends noted in files from the Family Portfolio. This is important as the OCHE must determine how best to serve the needs of all TCHC tenants in arrears of rent, while being mindful that the OCHE was designed as an office of last resort, with the purpose of ensuring fair process for all tenants. By understanding the needs of the tenants within this portfolio, TCHC will be able to ensure these needs are met using the existing resources and supported by the expertise of the OCHE.

The OCHE will also report to TCHC and TSCH on trends related to Local Repayment Agreements—average length, average amount, success rate and contributing factors. This is important as a tool to ensure arrears do not climb to unmanageable levels due to breached LRAs that were not identified.

Measurable Outcomes:

OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE SP Targets 2023	Results
<p>Goal 3¹² Report to TCHC, TSHC, and the Boards.</p>	<p>3.1 Identify and provide status updates on systemic recommendations to the Board of Directors through the OCHE six-month reports to TCHC and through the OCHE quarterly reports to TSHC.</p>	<p>3.1 Data collected from every Report and Recommendations issued for every file closed. Analysis provided that explains the data and makes systemic recommendations on what to do with the findings.</p>	<p>3.1 Two Bi-Annual reports issued to the TCHC Board through the TSC sub-committee Four Quarterly reports issued to the TSHC Board through the QTE sub-committee</p>	<p>In 2023 the OCHE issued two bi-annual reports to the TCHC Board through the TSC sub-committee Achieved In 2023 the OCHE issued four quarterly reports to the TSHC Board through the QTE sub-committee. Achieved</p>

¹² TCHC Strategic Goal – To build a business intelligence foundation to enable decision making and success measures.

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OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE SP Targets 2023	Results
	<p>3.2 Gather feedback from tenants through tenant surveys conducted by the EROs during their engagement and resolution effort.</p> <p>Report findings of the tenant surveys and make recommendations to potential process improvements that could assist the tenants to remain in good standing with their LRAs, allowing TCHC and TSHC to ensure arrears do not grow as a result of breached agreements.</p>	<p>3.2 Critical analysis reported through an Appendix to the Bi-Annual Report (July 1- December 31, 2023)</p>	<p>3.2 Complete Tenant Survey on previous LRAs in 80% of the files where the tenant had entered into an LRA prior to the OCHE referral.</p> <p>Final Reports Completed for TSC committee meeting and QTE committee meeting in Q3.</p>	<p>In 2023 there were 218 cases where a tenant entered into an LRA prior to an OCHE referral. In these cases, the OCHE completed a Tenant Survey with the households in 81% (176/218) of cases.</p> <p>The survey findings will be reported to TCHC in the July 1 to December 31, 2023 Bi-Annual Report and will be presented to the TSC Committee on April 11, 2024. The survey findings for TSHC will be reported in the 2023 Q4 report and will be presented to the QTE Committee on February 5, 2024.</p> <p>Achieved¹³</p>

¹³ The OCHE was waiting until the end of 2023 to provide the results of the tenant surveys, in order to allow for one full year of results.

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OCHE Strategic Goals	OCHE Actions	OCHE Key Performance Indicators	OCHE SP Targets 2023	Results
	<p>3.3 Review and Report on trends noted on files received from the Family Portfolio as noted during the ERO’s engagement and resolution efforts as well as their audit findings to determine how the OCHE and TCHC can ensure the most effective means to resolve these arrears files.</p> <p>Report to the Board of Directors on trends which were noted in referrals from the Family Portfolio and recommend process improvements to maximize efficiency and effectiveness with respect to working with tenants from the Family Portfolio</p>	<p>3.3 Recommendations on best practices within the family portfolio provided to TCHC. Critical analysis reported through an Appendix to the Bi-Annual Report (Jan 1- June 30, 2023)</p> <p>Terms of Reference finalized with respect to wording related to the Family Portfolio</p>	<p>3.3 Final Reports completed for Fall 2023 TSC meeting.</p>	<p>The OCHE reviewed and reported on trends noted on files received from the Family Portfolio in the Appendix of the OCHE Bi-Annual Report (July 1 – December 31, 2022) which was accepted by the TCHC Board of Directors on April 24, 2023.</p> <p>Achieved</p> <p>The OCHE Terms of Reference were not finalized in 2023 and this item was brought forward to the OCHE 2024 Work Plan for completion. The OCHE and TCHC require time to conduct further analysis to ensure that the process changes aimed at naturally curbing the flow of referrals were effective.</p>

Appendix 1.1 - ARREARS MANAGED BY THE OCHE YEAR TO DATE (TCHC)

In 2023, the OCHE issued 529 reports, which accounted for \$4,116,571.30 in arrears.

(a) Total arrears directly paid to TCHC totaled \$1,018,525.78 (305 cases) as follows:

- Direct payments totaled \$353,413.80 from the following sources:
 - o \$129,029.95 (79 cases) directly from tenants/tenants' families
 - o \$29,595.30 (19 cases) in payments directly from Ontario Works / Ontario Disability Support Program
 - o \$165,342.82 (89 cases) in payments from Housing Stabilization Fund (HSF)
 - o \$21,240.73 (7 cases) directly from Toronto Rent Bank
 - o \$8,205.00 directly from TCHC credits (5 cases)/TTHAP (1 case)
- Resolving Losses of Subsidy: \$422,329.99 (42 cases)
- Completing Annual or an 'In Year' Reviews: \$242,781.99 (63 cases)

(b) Arrears managed through Repayment Agreements (306 cases)

- \$2,128,132.42 in arrears were managed through Local Repayment Agreements and will be paid back to TCHC over time and have not yet been collected in full.

(c) Arrears forwarded to the Landlord and Tenant Board (103 cases)

- \$969,913.10 in arrears were not resolved by the OCHE and it was instead recommended that TCHC file an L1 Application at the LTB, where the Tenant would have an opportunity to enter into a Mediated Agreement.

Appendix 1.2 - ARREARS MANAGED BY THE OCHE YEAR TO DATE (TSHC)

In 2023, the OCHE issued 160 reports, which accounted for \$534,742.43 in arrears.

- (a) Total arrears directly paid to TCHC totaled \$90,353.46 (60 cases) as follows:
- Direct payments totaled \$52,413.46 from the following sources:
 - o \$34,574.46 (31 cases) directly from tenants/tenants' families
 - o \$1,554.00 (2 cases) in payments directly from Ontario Works / Ontario Disability Support Program
 - o \$13,292.00 (13 cases) in payments from Housing Stabilization Fund (HSF)
 - o \$2,993.00 (2 cases) directly from OPGT and Anishnawbe Health Toronto
 - Resolving Losses of Subsidy: \$24,451.00 (4 cases)
 - Completing Annual or an 'In Year' Reviews: \$13,489.00 (8 cases)
- (b) Arrears managed through Repayment Agreements (107 cases)
- \$414,800.44 in arrears were managed through Local Repayment Agreements and will be paid back to TCHC over time and have not yet been collected in full.
- (c) Arrears forwarded to the Landlord and Tenant Board (29 cases)
- \$29,588.53 in arrears were not resolved by the OCHE and it was instead recommended that TCHC file an L1 Application at the LTB, where the Tenant would have an opportunity to enter into a Mediated Agreement.