

When Eligibility for Subsidy Ends

Each time you re-calculate a household's TRC, eligibility for subsidy is re-assessed. See [When to Calculate Tenant Rent Contributions](#) for information. Maintain written copies of all requests for information regarding ongoing eligibility.

The main reasons a resident may no longer be eligible for an RGI unit are:

- ▶ A change in household composition, resulting in the resident being over-housed
- ▶ A resident or adult household member is not compliant with the requirement to complete, sign and submit the Rent Form
- ▶ A resident or adult household member is not compliant with the requirement to provide acceptable proof of income or assets
- ▶ A resident or household member is not compliant with the requirement to provide adequate information on who is residing in the unit
- ▶ In certain cases, the household's income has changed and now exceeds the [Housing Income Limits](#) (HILs)

Residential Tenancy Act

Section 49.1 of the [Residential Tenancy Act](#) (RTA) states: "... a landlord may end the tenancy of a subsidized rental unit by giving notice to end the tenancy if the tenant or other occupant, as applicable, ceases to qualify for the rental unit."

This allows housing providers to end a tenancy in an RGI unit with a minimum of 60 days' notice, if the resident is no longer eligible for the subsidized unit. See the [Resident Management Guide](#) for more information on ending a tenancy.

When you issue a **Notice to End Tenancy** under Section 49.1 of the RTA, the resident is required to continue paying the current TRC, and BC Housing will continue to provide subsidy based on this amount until the tenancy ends. If the resident does not pay the TRC as required, the housing provider can issue a 10-day **Notice to End Tenancy**.

For developments with a mix of RGI and market units, you can elect to convert the RGI tenancy to a market tenancy when a resident is no longer eligible for an RGI unit. To make this change, issue a **Notice to End Tenancy** under Section 49.1 of the RTA and, at the same time, advise the resident they may enter into a new market tenancy for the unit.

Housing Co-ops

The RTA does not govern members living in housing cooperatives. If a co-op member no longer qualifies for an RGI unit, subsidy for that unit may be withdrawn, and the member required to pay the full market housing charge.

Over-housed

A household with too many bedrooms for the household size, based on the [National Occupancy Standards](#), is over-housed. BC Housing will continue to provide subsidy to an over-housed resident who:

- Has agreed to transfer to an appropriately sized unit, and
- Is on an internal transfer list with the housing provider, or
- Has applied for a transfer through [The Housing Registry](#)

You need to develop your own policies and procedures for over-housed tenants. If the policy allows an over-housed resident to remain in the unit while waiting to transfer, you must begin the process to transfer the resident to an appropriately sized unit. You can either put the resident on an internal transfer list (if there is an appropriately sized unit in your portfolio), and/or have the resident apply for a transfer through [The Housing Registry](#).

For tenancies governed by the RTA, issue a **Notice to End Tenancy** according to Section 49.1 if an over-housed resident is not compliant with the requirement to transfer to a qualifying unit. See the [Resident Management Guide](#) for more information on over-housed situations.

Co-ops should withdraw subsidy if an over-housed member is not compliant with the requirement to transfer to a qualifying unit, but the member has the option of remaining in the unit and paying the market housing charge.

When Income Exceeds the Housing Income Limits

BC Housing does not require housing providers to end a tenancy if the household's income exceeds the Housing Income Limits (HILs). However, many housing providers have policies to end a tenancy for this reason.

If your policies do not require a household to vacate the unit if income exceeds the HILs, you have to continue calculating TRC based on gross household income. As a result, the household could be charged a TRC that is capped at, or exceeds, market rent, depending on the household income and housing program. Please refer to your operating agreement or contact your NPPM for more information.