

The Rental Housing Supplement Regulations

being

Chapter S-8 Reg 7 (effective April 6, 2005) as amended by Saskatchewan Regulations [30/2006](#), [66/2006](#), [95/2007](#), [66/2008](#), [4/2009](#), [78/2009](#), [16/2010](#), [101/2010](#), [5/2011](#), [34/2011](#) and [35/2018](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER S-8 REG 7
The Saskatchewan Assistance Act

PART I
Preliminary Matters

Title

- 1** These regulations may be cited as *The Rental Housing Supplement Regulations*.

Interpretation

- 2(1)** In these regulations:

- (a) **“Act”** means *The Saskatchewan Assistance Act*;
- (b) **Repealed.** 18 May 2018 SR 35/2018 s3.
- (c) **“benefit month”** means the calendar month for which the RHS benefit is being calculated;
- (d) **“category A client”** means a client who resides in the Town of Allan, the Town of Asquith, the Town of Balgonie, the Village of Belle Plaine, the Village of Bradwell, the Village of Buena Vista, the Village of Clavet, the Town of Colonsay, the Town of Dalmeny, the Town of Delisle, the Village of Disley, the Town of Dundurn, the Village of Edenwold, the Village of Elstow, the City of Estevan, the Village of Grand Coulee, the Town of Langham, the City of Lloydminster, the Town of Lumsden, the Resort Village of Lumsden Beach, the Town of Martensville, the Village of Meacham, the Town of Osler, the Village of Pense, the Town of Pilot Butte, the City of Regina, the Town of Regina Beach, the City of Saskatoon, the Resort Village of Shields, the Resort Village of Thode, the Village of Vanscoy, the Town of Warman or the Town of White City;
- (e) **“category B client”** means a client who resides in the Northern Town of Creighton, the Town of Kindersley, the Northern Village of La Loche, the Northern Town of La Ronge, the Town of Macklin, the City of Melville, the City of Prince Albert, the Town of Rosetown, the City of Weyburn or the City of Yorkton;
- (f) **“category C client”** means a client who resides in the Town of Battleford, the Town of Fort Qu’Appelle, the City of Humboldt, the Town of Meadow Lake, the City of Melfort, the City of Moose Jaw, the Town of Nipawin, the City of North Battleford, the City of Swift Current or the Town of Watrous;
- (g) **“category D client”** means a client who resides anywhere in Saskatchewan other than in a place mentioned in clause (d), (e) or (f);
- (h) **“child”** means an individual who is less than 18 years of age;

- (i) **“client”** means an individual whose application for the RHS benefit has been accepted;
- (j) **“eligible family unit”** means a family unit that meets the requirements of section 6;
- (k) **“eligible income”** means eligible income calculated in accordance with section 10;
- (l) **“eligible individual”** means an individual who is determined to be an eligible individual pursuant to section 7;
- (m) **“eligible rented accommodation”** means accommodation that meets the requirements of section 8;
- (n) **“family income”** is the total of all amounts that would be taxable as income pursuant to the *Income Tax Act* (Canada) and that, subject to sections 32 to 34, are received by the client and the spouse, if any, of the client in a month;
- (o) **“family unit”** means a family unit within the meaning of section 5;
- (p) **“health services number”** means a unique number assigned to an individual who is or was registered as a beneficiary to receive insured services within the meaning of *The Saskatchewan Medical Care Insurance Act*;
- (q) **“income turning point”** means the maximum monthly amount of eligible income that a client’s family unit may receive without causing a reduction in the amount of the client’s RHS benefit pursuant to subsection 11(3);
- (r) **“insured services”** means insured services as defined in *The Saskatchewan Medical Care Insurance Act*;
- (s) **“level of rent”** means level of rent determined in accordance with section 9;
- (t) **“maintenance income”** means any gross amount that is paid pursuant to:
 - (i) a maintenance order, whether received directly from the respondent, collected by the Maintenance Enforcement Office and subsequently remitted to the client or spouse of the client or collected by the Maintenance Enforcement Office and subsequently deposited to the general revenue fund; or
 - (ii) a maintenance agreement in writing that is not included within the definition of “maintenance order”;
- (u) **“maintenance order”** means a maintenance order as defined in *The Enforcement of Maintenance Orders Act, 1997*;
- (v) **“preceding taxation year”** means the taxation year ended immediately preceding the beginning of the program year in which the income of a client or the spouse of a client is being calculated;

- (w) **“program”** means the Rental Housing Supplement Program established pursuant to section 3;
 - (x) **“program year”** means a period commencing on July 1 in one year and ending on June 30 in the following year;
 - (y) **“rent-to-income ratio”** means the ratio of the monthly amount of rent paid by a client to the eligible income of the client for the month, expressed as a percentage;
 - (z) **“reserve”** means a reserve within the meaning of the *Indian Act* (Canada);
 - (aa) **“respondent”** means a respondent as defined in *The Enforcement of Maintenance Orders Act, 1997*;
 - (bb) **“RHS benefit”** means the benefit calculated in accordance with section 11;
 - (bb.1) **“SAID”** means assistance granted pursuant to *The Saskatchewan Assured Income for Disability Regulations, 2012*;
 - (cc) **“SAP”** means assistance granted pursuant to *The Saskatchewan Assistance Regulations, 2014*;
 - (dd) **“Saskatchewan Health Services card”** means a card issued pursuant to section 6.5 of *The Health Administration Act*;
 - (ee) **“taxation year”** means taxation year as defined in the *Income Tax Act* (Canada);
 - (ff) **“TEA”** means a transitional employment allowance granted pursuant to *The Transitional Employment Allowance Regulations, 2005*;
 - (gg) **Repealed.** 18 May 2018 SR 35/2018 s3.
- (2) **Repealed.** 10 Jne 2011 SR 34/2011 s3.
 - (3) For the purposes of these regulations, a person is deemed to be under 18 years of age during the entire month in which the person attains the age of 18 years.
 - (4) For the purposes of these regulations:
 - (a) a reference to an amount of income is deemed to be a reference to an amount in whole dollars that is obtained by subtracting the number of cents less than one dollar in the actual amount of income from the actual amount; and
 - (b) all calculations involving amounts of income are to be carried out using the amounts in whole dollars determined in accordance with clause (a).

15 Apr 2005 cS-8 Reg 7 s2; 13 Apr 2006 SR 30/2006 s3; 7 Jly 2006 SR 66/2006 s2; 8 Aug 2008 SR 66/2008 s3; 11 Sep 2009 SR 78/2009 s3; 10 Jne 2011 SR 34/2011 s3; 18 May 2018 SR 35/2018 s3.

PART II

Rental Housing Supplement Program

Program established and designated

- 3(1) The Rental Housing Supplement Program is established.
- (2) The program is designated as an income-tested program for the purposes of clause 2(c.01) of the Act.

15 Apr 2005 cS-8 Reg 7 s3.

Eligibility

- 4(1) The RHS benefit is payable to clients:
 - (a) with respect to family units that are determined to be eligible family units in accordance with section 6, as that section existed on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2018*; and
 - (b) only with respect to individuals who are determined to be eligible individuals in accordance with section 7, as that section existed on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2018*.
- (2) The RHS benefit continues to be payable to a client until the client's entitlement to receive payments is terminated pursuant to section 28.

15 Apr 2005 cS-8 Reg 7 s4; 18 May 2018 SR 35/2018 s4.

Composition of family units

- 5 A family unit consists of:
 - (a) an individual who is a client and who has been assigned a health services number by the Ministry of Health;
 - (b) the spouse, if any, of the client; and
 - (c) the children of the client or of the spouse of the client, including any children to whom the client or the spouse of the client stands in the place of a parent.

18 May 2018 SR 35/2018 s5.

Eligible family units

- 6(1) An eligible family unit includes only those members of a family unit who are eligible individuals.
- (2) Unless otherwise provided, the fact that one member of a family unit is not an eligible individual does not prevent the other members of the family unit from being considered an eligible family unit.
- (3) In order for the family unit of a client to remain an eligible family unit:
 - (a) **Repealed.** 18 May 2018 SR 35/2018 s6.

- (b) the family unit must include children who are eligible individuals;
- (c) the family unit must be residing in eligible rented accommodation, and the eligible rented accommodation must be the primary residence of the family unit;
- (d) the monthly rent being paid for the eligible rented accommodation must be not less than the minimum qualifying rent determined by the minister on the basis of:
 - (i) the composition of the family unit;
 - (ii) the category into which the client is placed, in relation to the location of the rented accommodation occupied by the family unit as its primary residence; and
 - (iii) whether or not the rent being paid includes heating costs;
- (e) the eligible income of the family unit in a month, determined in accordance with section 10, must not exceed the maximum eligible income for the family unit determined by the minister on the basis of:
 - (i) the composition of the family unit; and
 - (ii) the category into which the client is placed, in relation to the location of the rented accommodation occupied by the family unit as its primary residence; and
- (f) in the case of a client who is not receiving SAP or TEA, the rent-to-income ratio of the family unit must exceed:
 - (i) 35% if the rent paid includes heating costs; or
 - (ii) 30% if the rent paid does not include heating costs.

15 Apr 2005 cS-8 Reg 7 s6; 21 Sep 2007 SR
 95/2007 s3; 10 Jne 2011 SR 34/2011 s4; 18 May
 2018 SR 35/2018 s6.

Eligible individuals

7(1) Subject to this section, an individual is an eligible individual if the individual is eligible to receive insured services as a resident or beneficiary pursuant to *The Saskatchewan Medical Care Insurance Act* and *The Medical Care Insurance Beneficiary and Administration Regulations*.

(2) Where an individual who enters Saskatchewan and establishes residence in Saskatchewan applies for a Saskatchewan Health Services Card, the individual becomes an eligible individual when a health services number is assigned, even if the individual is not entitled to receive insured services for a period after entering Saskatchewan.

(3) An individual who leaves Saskatchewan to establish residence outside of Saskatchewan ceases to be an eligible individual when the individual leaves Saskatchewan, even if the individual is entitled to receive insured services for a period after leaving Saskatchewan.

(4) The following are not eligible individuals, whether or not they are eligible to receive insured services:

- (a) an individual who is sentenced to a term of imprisonment of more than 30 days in:
 - (i) a correctional facility as defined in *The Correctional Services Act, 2012*; or
 - (ii) a custody facility as defined in *The Youth Justice Administration Act*;
- (b) an inmate as defined in the *Corrections and Conditional Release Act* (Canada) or a prisoner as defined in the *Prisons and Reformatories Act* (Canada);
- (c) a child in the care of the minister within the meaning of *The Child and Family Services Act*;
- (d) a child in the care of an agency that has entered into an agreement pursuant to section 61 of *The Child and Family Services Act*;
- (e) a non-immigrant as defined in *The Medical Care Insurance Beneficiary and Administration Regulations* to whom subsection 6(3) of those regulations applies;
- (f) an individual whose application for landing was sponsored pursuant to subsection 13(1) or (2) of the *Immigration and Refugee Protection Act* (Canada), during the period of sponsorship;
- (g) an individual who ordinarily resides on a reserve, if the Government of Canada has agreed to fund a similar or comparable program;
- (h) subject to clause (5)(c), an individual who has been outside of Saskatchewan, whether temporarily or on a permanent basis, for a period greater than 90 consecutive days.

(5) The following are eligible individuals, whether or not they are entitled to receive insured services:

- (a) a member of the Royal Canadian Mounted Police who establishes residence in Saskatchewan;
- (b) a member of the Canadian Forces who establishes residence in Saskatchewan;
- (c) an individual described in clause (4)(h) where, in the opinion of a program manager, exceptional circumstances exist.

Eligible rented accommodation

8(1) In order for rented accommodation to be eligible rented accommodation, a program manager must be of the opinion that the condition of the premises does not present a serious hazard to the health or safety of persons residing in the accommodation.

(2) For the purposes of these regulations, the following types of accommodation are not eligible rented accommodation:

- (a) accommodation in:
 - (i) a mental health approved home as defined in *The Mental Health Services Act*;
 - (ii) a facility as defined in *The Regional Health Services Act* that is operated by a regional health authority or an affiliate as defined in that Act;
 - (iii) a personal care home as defined in *The Personal Care Homes Act*;
 - (iv) a private-service home or a residential service facility as defined in *The Residential Services Act*; or
 - (v) any other home or facility that provides both accommodation and some degree of supervision, personal care or individual programming for persons in need of those additional services;
- (b) accommodation the payment for which includes the provision of meals;
- (c) accommodation in a communal living arrangement.

15 Apr 2005 cS-8 Reg 7 s8; 18 May 2018 SR
35/2018 s8.

Levels of rent

9(1) For the purposes of the program, the following levels of rent are established:

- (a) level 1 (warm);
- (b) level 2 (cold).

(2) For the purposes of determining the minimum qualifying rent that a client is to be considered as paying, the client's rent is to be determined based on the following variables:

- (a) the composition of the client's family unit;
- (b) the category into which the client has been placed, in relation to the location of the rented accommodation occupied by the client's family unit as its primary residence.

(3) A client whose rent includes heating costs is paying a level 1 (warm) rent if the monthly amount of the rent being paid is equal to or greater than the minimum qualifying rent determined by the minister pursuant to clause 6(3)(d), as that clause existed on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2018*, based on the variables applicable to the client.

(4) A client whose rent does not include heating costs is paying a level 2 (cold) rent if the monthly amount of the rent being paid is equal to or greater than the minimum qualifying rent determined by the minister pursuant to clause 6(3)(d), as that clause existed on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2018*, based on the variables applicable to the client.

18 May 2018 SR 35/2018 s9.

Eligible income

10 The eligible income of a family unit in a month is the amount E, calculated in accordance with the following formula:

$$E = F + EI + CPP + WC + OAS + SIP + M$$

where:

F is the family income of the family unit for the previous month;

EI is the total of all amounts received by the client and the spouse, if any, of the client in the previous month as benefits pursuant to Parts I and II of the *Employment Insurance Act* (Canada), but not including allowances pursuant to Part II of that Act;

CPP is the total of all amounts received by the client and the spouse, if any, of the client in the previous month as benefits, other than orphan's benefits, pursuant to the *Canada Pension Plan* or the *Quebec Pension Plan*;

WC is the total of all amounts received by the client and the spouse, if any, of the client in the previous month as benefits pursuant to *The Workers' Compensation Act, 2013* or similar legislation in another jurisdiction;

OAS is the total of all amounts received by the client and the spouse, if any, of the client in the previous month pursuant to the *Old Age Security Act* (Canada), whether as a pension, supplement or allowance;

SIP is the total of all amounts received by the client and the spouse, if any, of the client in the previous month as benefits pursuant to *The Saskatchewan Income Plan Act*; and

M is the total of all amounts received by the client and the spouse, if any, of the client in the previous month as maintenance income.

15 Apr 2005 cS-8 Reg 7 s10; 18 May 2018 SR 35/2018 s10.

Amount of RHS benefit

11(1) The amount of the maximum RHS benefit for a month to which a client may be entitled is the amount determined by the minister on the basis of:

- (a) the composition of the client's eligible family unit; and
- (b) the category of the client.

(2) The actual amount of the RHS benefit to which an eligible family unit is entitled for a benefit month is the amount RHS calculated in accordance with the following formula:

$$\text{RHS} = \text{RHS}_{\text{Max}} - (\text{R} + \text{A})$$

where:

RHS_{Max} is the amount of the maximum RHS benefit to which the eligible family unit would be entitled for the benefit month without reduction or adjustment, determined in accordance with subsection (1);

R is the amount, if any, by which the eligible family unit's maximum RHS benefit is to be reduced for the benefit month, determined in accordance with subsection (3); and

A is the amount, if any, by which the eligible family unit's maximum RHS benefit is to be adjusted for the benefit month, determined in accordance with subsection (4), if a member of the eligible family unit is receiving SAID, SAP or TEA.

(3) The amount, if any, by which an eligible family unit's maximum RHS benefit is to be reduced for a benefit month is the amount R, if it is positive, calculated in accordance with the following formula:

$$\text{R} = \text{RR}\% \times (\text{E} - \text{ITP})$$

where:

RR is the reduction rate determined by the minister on the basis of the composition of the family unit;

E is the eligible income of the eligible family unit for the benefit month; and

ITP is the income turning point determined by the minister for the composition of the family unit.

(4) If a client is receiving SAID, SAP or TEA, the amount of the client's maximum RHS benefit is to be reduced by the amount of the SAID/SAP/TEA adjustment determined by the minister on the basis of:

- (a) the composition of the client's eligible family unit; and
- (b) the category of the client.

15 Apr 2005 cS-8 Reg 7 s11; 21 Sep 2007 SR
95/2007 s5; 10 Jne 2011 SR 34/2011 s6; 18 May
2018 SR 35/2018 s11.

Transitional – amounts of RHS benefits

11.1(1) In this section, “**qualifying client**” means a client who:

- (a) was receiving the RHS benefit before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2007*; and
- (b) as a result of the coming into force of *The Rental Housing Supplement Amendment Regulations, 2007* would no longer be eligible to receive the RHS benefit because the client's monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit in the amount the client was entitled to before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2007*, until the client's entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client's monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

21 Sep 2007 SR 95/2007 s6; 10 Jne 2011 SR 34/2011 s7.

Transitional (2008) – amounts of RHS benefits

11.2(1) In this section, “**qualifying client**” means a client who:

- (a) was receiving the RHS benefit before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2008*; and
- (b) as a result of the coming into force of *The Rental Housing Supplement Amendment Regulations, 2008* would no longer be eligible to receive the RHS benefit because the client's monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit in the amount the client was entitled to before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2008*, until the client's entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client's monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

8 Aug 2008 SR 66/2008 s4; 10 Jne 2011 SR 34/2011 s8.

Transitional (2009) – eligibility for RHS benefits

11.3(1) In this section, “**qualifying client**” means a client who:

- (a) was receiving the RHS benefit before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2009*; and
- (b) as a result of the coming into force of *The Rental Housing Supplement Amendment Regulations, 2009* would no longer be eligible to receive the RHS benefit because the client's monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit until the client's entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client's monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

23 Jan 2009 SR 4/2009 s3; 10 Jne 2011 SR 34/2011 s9.

Transitional (2009)(No.2) – eligibility for RHS benefits

11.4(1) In this section, **‘qualifying client’** means a client who:

- (a) was receiving the RHS benefit before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2009 (No. 2)*; and
- (b) as a result of the coming into force of *The Rental Housing Supplement Amendment Regulations, 2009 (No. 2)* would no longer be eligible to receive the RHS benefit because the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit until the client’s entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

11 Sep 2009 SR 78/2009 s4; 10 Jne 2011 SR
34/2011 s10.

Transitional (2010) – eligibility for RHS benefits

11.5(1) In this section, **“qualifying client”** means a client who:

- (a) was receiving the RHS benefit on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2010*; and
- (b) as a result of the coming into force of *The Rental Housing Supplement Amendment Regulations, 2010* would no longer be eligible to receive the RHS benefit because the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit until the client’s entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

26 Mar 2010 SR 16/2010 s3; 10 Jne 2011 SR
34/2011 s11.

Transitional (2010) – amount of RHS benefit

11.6(1) In this section, **“qualifying client”** means a client:

- (a) who was receiving the RHS benefit on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2010*;
- (b) who was a member of an eligible family unit receiving SAP or TEA on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2010*; and

(c) whose RHS benefit would be reduced, as a result of the coming into force of *The Rental Housing Supplement Amendment Regulations, 2010*, by the amount of the SAP/TEA adjustment set out in Table 6, determined on the basis of the variables mentioned in subsection 11(4), as that table existed on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2010*.

(2) Notwithstanding any other provision of these regulations, a qualifying client's RHS benefit continues to be reduced by the SAP/TEA adjustment set out in Table 6, determined on the basis of the variables mentioned in subsection 11(4), as that table existed on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2010*, until the client's entitlement to receive the RHS benefit is terminated pursuant to section 28.

26 Mar 2010 SR 16/2010 s3; 10 Jne 2011 SR
34/2011 s12.

Transitional (2010) (No.2) – eligibility for RHS benefits

11.7(1) In this section, “**qualifying client**” means a client who:

- (a) was receiving the RHS benefit before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2010* (No. 2); and
- (b) as a result of the coming into force of *The Rental Housing Supplement Amendment Regulations, 2010* (No. 2) would no longer be eligible to receive the RHS benefit because the client's monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit until the client's entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client's monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

1 Oct 2010 SR 101/2010 s3; 10 Jne 2011 SR
34/2011 s13.

Transitional (2011) – eligibility for RHS benefits

11.8(1) In this section, “**qualifying client**” means a client who:

- (a) was receiving the RHS benefit on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2011*; and
- (b) as a result of the coming into force of *The Rental Housing Supplement Amendment Regulations, 2011* would no longer be eligible to receive the RHS benefit because the client's monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit until the client's entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client's monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

4 Mar 2011 SR 5/2011 s3; 10 Jne 2011 SR 34/2011 s14.

Transitional (2011) – amount of RHS benefit

11.9(1) In this section, “**qualifying client**” means a category B client or category C client:

- (a) who was receiving the RHS benefit on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2011*;
- (b) who was a member of an eligible family unit receiving SAP or TEA on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2011*; and
- (c) whose RHS benefit would be reduced, as a result of the coming into force of *The Rental Housing Supplement Amendment Regulations, 2011*, by the amount of the SAP/TEA adjustment set out in Table 6, determined on the basis of the variables mentioned in subsection 11(4), as that table existed on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2011*.

(2) Notwithstanding any other provision of these regulations, a qualifying client's RHS benefit continues to be reduced by the SAP/TEA adjustment set out in Table 6, determined on the basis of the variables mentioned in subsection 11(4), as that table existed on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2011*, until the client's entitlement to receive the RHS benefit is terminated pursuant to section 28.

4 Mar 2011 SR 5/2011 s3; 10 Jne 2011 SR 34/2011 s15.

12 Repealed. 18 May 2018 SR 35/2018 s12.

13 Repealed. 18 May 2018 SR 35/2018 s12

14 Repealed. 18 May 2018 SR 35/2018 s12

15 Repealed. 18 May 2018 SR 35/2018 s12.

Determination of eligibility

16(1) Repealed. 18 May 2018 SR 35/2018 s13.

(2) The eligibility of a family unit to continue to receive the RHS benefit will be reassessed each month to take into account any changes in income, composition of the family unit, type or location of accommodation, amount of rent or any other factor that affects eligibility.

15 Apr 2005 cS-8 Reg 7 s16; 18 May 2018 SR 35/2018 s13.

Discrepancies in information

17(1) In this section, “**information holder**” means:

- (a) the Ministry of Health;
- (b) the Maintenance Enforcement Office continued by *The Enforcement of Maintenance Orders Act, 1997*;
- (c) the Workers’ Compensation Board continued by *The Workers’ Compensation Act, 2013* or a similar body established by another jurisdiction;
- (d) any department or agency of the Government of Canada that keeps records pursuant to the *Canada Pension Plan*, the *Old Age Security Act* (Canada) or the *Income Tax Act* (Canada), any department or agency of the Government of Quebec that keeps records pursuant to the *Quebec Pension Plan* or any department or agency of the government of any province or territory that keeps records pursuant to income tax legislation;
- (e) the Canada Employment Insurance Commission; or
- (f) an employer of a client or of a spouse of a client.

(2) If there are discrepancies between the information provided by a client and the information in the records of an information holder, the eligibility of the client to continue receiving the RHS benefit and the amount of the client’s RHS benefit will be determined on the basis of the information in the records of the information holder until the information holder has corrected that information at the request of the client.

15 Apr 2005 cS-8 Reg 7 s17; 18 May 2018 SR 35/2018 s14.

Personal identification number and account number

18 When an application received before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2018* is approved, the client will be assigned a personal identification number and an account number.

15 Apr 2005 cS-8 Reg 7 s18; 18 May 2018 SR 35/2018 s15.

Inquiries and reporting

19 A client requesting information about his or her file, reporting monthly income pursuant to section 20, reporting changes pursuant to subsection 21(1) or (2) or making a quarterly report pursuant to section 22 must do so:

- (a) by telephone; or
- (b) in writing.

18 May 2018 SR 35/2018 s16.

Reporting monthly income, filing tax return

20 If a client or a client's spouse has income from farming or self-employment that is being calculated pursuant to subsection 34(3), the client must:

- (a) report at the beginning of each month the gross amount of all income from farming and self-employment for the previous month, until July of the calendar year that follows the first calendar year of operation of the farm or business from which the income is obtained; and
- (b) file a return of income pursuant to the *Income Tax Act* (Canada) before the end of June of the calendar year that follows the first calendar year of operation of the farm or business from which the income is obtained.

15 Apr 2005 cS-8 Reg 7 s20.

Reporting changes

21(1) A client must report to the ministry any change in monthly income not later than the last day of the month following the month in which the change occurs.

(2) A client must report, not later than the last day of the month in which the change occurs:

- (a) to the ministry:
 - (i) any change in the following:
 - (A) in monthly rent;
 - (B) in the type or location of accommodation; or
 - (C) in the condition of the premises if the change in condition presents a serious hazard to the health or safety of persons residing in the accommodation; and
 - (ii) if the type or location of accommodation has changed, the condition of the new accommodation; and
- (b) to the Ministry of Health, any changes in the composition of the family unit or the address of the family unit.

(3) If a client reports a change in the composition of the family unit that involves the addition of a spouse or a change of spouse, the client must provide confirmation of information respecting the spouse and the spouse's consent:

- (a) to the disclosure to the ministry of personal information with respect to the family unit in the records of government ministries and agencies and other bodies for the purpose of determining the eligibility of the family unit to continue receiving the RHS benefit and the amount of the RHS benefit to which the family unit may be entitled;
- (b) to the use of the social insurance number and health services number of the spouse for the purpose of determining the eligibility of the family unit to continue receiving the RHS benefit and the amount of the RHS benefit to which the family unit may be entitled; and

(c) to an inspection by a representative of the ministry of the accommodation described in the application as the primary residence of the client's family unit or any other accommodation subsequently reported to the ministry as the primary residence of the family unit to verify any information respecting the accommodation that is necessary to determine the eligibility of the family unit to continue receiving the RHS benefit and the amount of the RHS benefit to which the family unit may be entitled.

15 Apr 2005 cS-8 Reg 7 s21; 18 May 2018 SR 35/2018 s17.

Quarterly report

22(1) In addition to the requirements of section 21, a client must report on a quarterly basis in accordance with this section, unless the program manager waives the requirement in accordance with subsections (4) and (5).

(2) A form setting out the information that is currently in the client's file will be mailed to the client before the quarterly report is required.

(3) A client must review the information set out in the form and, in the manner described in section 19, make a quarterly report confirming that the information is correct or notifying the ministry of any changes in the information.

(4) Subject to subsection (5), a program manager may, in a particular case, waive the requirement for a client to submit a quarterly report if, in the opinion of the program manager, exceptional circumstances exist.

(5) In a particular case, a program manager shall not waive the requirement for a quarterly report with respect to consecutive reporting periods.

15 Apr 2005 cS-8 Reg 7 s22; 13 Apr 2006 SR 30/2006 s4; 18 May 2018 SR 35/2018 s18.

Late report

23(1) Subject to subsection (2), if a client fails to complete the requirements of section 20, 21 or 22 in the month in which the report is required, the payment of the RHS benefit will be suspended.

(2) If a client meets the requirements of section 20, 21 or 22 in the month that follows the month in which compliance was required and otherwise remains eligible for the RHS benefit, the client's entitlement to receive the RHS benefit for the month mentioned in subsection (1) will be reinstated.

(3) If a client fails to meet the requirements of section 20, 21 or 22 by the end of the month that follows the month in which compliance was required, the client's entitlement to receive payments of the RHS benefit terminates in accordance with clause 28(c).

15 Apr 2005 cS-8 Reg 7 s23.

Audit

24(1) For the purpose of monitoring compliance with these regulations, a program manager may at any time, by written notice, require a client, within 21 days after the date of the written notice, to do any or all of the following:

- (a) provide or confirm any information that is necessary to determine the eligibility of the client's family unit or the amount of the RHS benefit payable with respect to the family unit;
 - (b) permit a representative of the ministry to inspect the accommodation reported as the primary residence of the client's family unit to confirm any information respecting the accommodation that is necessary to determine the eligibility of the client's family unit or the amount of the RHS benefit payable with respect to the family unit.
- (2) If the information provided by the client is complete:
- (a) the eligibility of the client's family unit will be reassessed pursuant to subsection 16(2); and
 - (b) the amount of the RHS benefit will be recalculated pursuant to subsections 25(2) to (4).
- (3) If the information provided by the client is incomplete, the program manager shall send a further written notice to the client requiring the client, within 15 days after the date of the further written notice, to provide the information that is missing.

15 Apr 2005 cS-8 Reg 7 s24; 18 May 2018 SR
35/2018 s19.

Calculation of RHS benefit

25(1) The amount of the RHS benefit for a month is calculated in accordance with section 11 based on the income of the family unit in the month preceding the month in which the payment is to be made.

- (2) After the initial calculation of the amount of the RHS benefit, the amount is recalculated each month, taking into account any changes in circumstances that affect the amount of the benefit, other than a change in the rent-to-income ratio.
- (3) For the purposes of recalculating the amount of the RHS benefit, changes in circumstances are taken into account from the date on which they are reported to the ministry or received by the ministry from the Ministry of Health, as the case may be.
- (4) Where a recalculation results in a determination of an underpayment, no payment will be made with respect to the underpayment with respect to the period before the recalculation unless:
 - (a) the underpayment is the result of an error made by the ministry; or
 - (b) the program manager or the program manager's designate is satisfied that the underpayment is the result of an error made by an individual who applied for the RHS benefit before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2018* or client as a result of difficulty in providing information and, in the opinion of the program manager or the program manager's designate, it would be inappropriate not to make a payment with respect to the underpayment.

15 Apr 2005 cS-8 Reg 7 s25; 18 May 2018 SR
35/2018 s20.

Minimum benefit

26 Where the amount of the RHS benefit of a client calculated pursuant to section 11 is greater than zero but less than \$10 per month, the amount of the RHS benefit is deemed to be \$10 per month.

15 Apr 2005 cS-8 Reg 7 s26; 18 May 2018 SR 35/2018 s21.

Payment of RHS benefit

27(1) The RHS benefit will be paid to a client with respect to the month in which an application is made, as calculated pursuant to subsection 25(1), and thereafter on a monthly basis, as recalculated pursuant to subsection 25(2), while the client remains eligible.

(2) Subject to subsection (3), the RHS benefit will be paid to a client only by direct deposit to an account of the client with a financial institution.

(3) A program manager may approve payment directly by cheque to a client:

- (a) where the client is unable to obtain an account with a chartered bank, trust company or credit union; or
- (b) in other exceptional circumstances where the program manager considers it appropriate to do so.

(4) A written statement of benefits will be provided to a client on request.

15 Apr 2005 cS-8 Reg 7 s27.

Termination of entitlement

28 A client's entitlement to receive payments of the RHS benefit terminates where:

- (a) as a result of a change in income, composition of the family unit, type or location of accommodation, condition of accommodation, amount of rent or any other factor that affects eligibility, the client is determined to be no longer eligible for the RHS benefit;
- (b) in the opinion of a program manager, the condition of the client's accommodation presents a serious hazard to the health or safety of the client's family unit; or
- (c) the client fails:
 - (i) to meet the requirements of section 21 within the period mentioned in subsection 23(3);
 - (ii) to complete a quarterly report pursuant to section 22 within the period mentioned in subsection 23(3);
 - (iii) in the case of a client who is required to report income from farming or self-employment pursuant to section 20:
 - (A) to complete a monthly income report required by clause 20(a) within the period mentioned in subsection 23(3); or
 - (B) to file a return of income pursuant to the *Income Tax Act* (Canada) within the period described in clause 20(b);

- (iv) to comply with a notice requiring information in accordance with clause 24(1)(a) or subsection 24(3); or
- (v) to comply with a notice requiring the client to permit a representative of the ministry to inspect the client's accommodation in accordance with clause 24(1)(b).

15 Apr 2005 cS-8 Reg 7 s28; 18 May 2018 SR 35/2018 s22.

Notice of termination

29 Where a client's entitlement to receive payments of the RHS benefit is terminated for a reason described in section 28, written notice will be given to the client that the client's entitlement to payments of the RHS benefit is terminated.

15 Apr 2005 cS-8 Reg 7 s29.

Effects of termination

30(1) Subject to subsection (2), if a client's entitlement to receive payments of the RHS benefit is terminated, no further payments of the RHS benefit will be made to the client unless, on an appeal pursuant to section 38 or 40, it is determined that the client is eligible to receive the RHS benefit.

(2) In the case of a client whose entitlement to receive payments of the RHS benefit is terminated pursuant to clause 28(b), a program manager may authorize the payment of two additional monthly payments of the RHS benefit to the client if, in the opinion of the program manager, it is warranted in the circumstances.

15 Apr 2005 cS-8 Reg 7 s30; 13 Apr 2006 SR 30/2006 s5; 18 May 2018 SR 35/2018 s23.

Waiver of eligibility requirements in exceptional circumstances

30.1 Notwithstanding any other provision of these regulations, the program manager may waive the application of section 28 if, in the opinion of the program manager, one or more of the following applies:

- (a) there are compassionate, compelling or medical grounds to justify the waiver;
- (b) any non-compliance mentioned in that section:
 - (i) is with respect to a minor detail; or
 - (ii) is due to a circumstance beyond the control of the client and could not have been avoided by the exercise of due care;
- (c) it is not contrary to the public interest to provide the waiver.

18 May 2018 SR 35/2018 s24.

31 Repealed. 18 May 2018 SR 35/2018 s25.

PART III Rules Relating to Calculation of Income

Employment income

32(1) Where an individual receives employment income on a day other than the regular pay date, the employment income is deemed to be employment income received in the month in which the regular pay date would have occurred.

(2) Actual gratuities received by an individual for labour or personal services are to be included as employment income, to a maximum of 20% of wages received by the individual.

15 Apr 2005 cS-8 Reg 7 s32.

Income received as lump sum

33(1) Subject to subsection (2) and section 34, income in the form of a lump sum payment is apportioned, commencing with the month in which the payment is received, over a number of months equal to the length of the period to which the payment relates, to a maximum of 12 months.

(2) Income in the form of a lump sum payment with respect to an obligation in arrears is included in the calculation of income in the month in which it is received.

15 Apr 2005 cS-8 Reg 7 s33.

Calculation of farming and self-employment income

34(1) In the case of an individual who has filed a return of income pursuant to the *Income Tax Act* (Canada) for the preceding taxation year, the farming and self-employment income of the individual for a month is the amount FSE, calculated in accordance with the following formula:

$$\text{FSE} = P \times \frac{G}{N}$$

where:

P is either 0.40 or 0.25, whichever results in the determination of the greater combined benefit calculated in accordance with subsection (2);

G is the total of all amounts of gross income from farming and self-employment reported in the return of income for the preceding taxation year; and

N is the number of months in the preceding taxation year in which the individual was engaged in farming or self-employment.

(2) The combined benefit of an individual is the amount CB calculated in accordance with the following formula:

$$CB = RHS + DHS + SES$$

where:

RHS is the amount of the RHS benefit to which the individual would be entitled pursuant to section 11 if the individual is eligible to receive that benefit;

DHS is the amount of the DHS benefit to which the individual would be entitled pursuant to *The Disability Housing Supplement Regulations*, if the individual is eligible to receive that benefit; and

SES is the amount of the SES benefit to which the individual would be entitled pursuant to *The Employment Supplement Regulations* if the individual is eligible to receive that benefit.

(3) In the case of an individual who has not filed a return of income pursuant to the *Income Tax Act* (Canada) for the preceding taxation year, the farming and self-employment income of the individual for a month is an amount FSE calculated in accordance with the following formula:

$$FSE = P \times G$$

where:

P is either 0.40 or 0.25, whichever results in the calculation of the greater combined benefit for the month calculated in accordance with subsection (2); and

G is the individual's gross income from farming and self-employment in the previous month.

(4) Where a farm or business operated by an individual is incorporated, the individual's farming and self-employment income will be determined as a share of the gross amount of income of the corporation that is proportionate to the number of shares in the corporation owned by the individual.

15 Apr 2005 cS-8 Reg 7 s34.

PART IV Appeals

Interpretation of Part

35 In this Part:

- (a) **“adjudicator”** means the adjudicator appointed pursuant to section 39;
- (b) **“appellant”** means a person who:
 - (i) appeals a decision to a program manager or designate pursuant to section 38; or
 - (ii) appeals a decision of a program manager or designate to an adjudicator pursuant to section 40.

15 Apr 2005 cS-8 Reg 7 s35.

Advice re right to appeal

36(1) A program manager shall advise clients in writing of their right to appeal decisions described in subsection 37(1).

(2) A program manager shall advise an individual who applied for the RHS benefit before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2018*, orally or by providing the individual with a brochure, of the individual's right to appeal a decision with respect to an assessment of the individual's eligibility.

15 Apr 2005 cS-8 Reg 7 s36; 18 May 2018 SR
35/2018 s26.

Grounds for appeal

37(1) Appeals may be made only with respect to oral or written decisions relating to the following matters:

- (a) assessment of eligibility;
- (b) calculation of the RHS benefit;
- (c) suspension of payment of the RHS benefit;
- (d) termination of entitlement to receive the RHS benefit;
- (e) overpayments.

(2) For the purposes of clause (1)(b) and subsection 38(1), payment of the RHS benefit is deemed to be a decision with respect to the calculation of the RHS benefit, and the date of payment is deemed to be the date of the decision.

(3) Subject to subsection (4), an appeal may be commenced only by a client or by a person with authority pursuant to an Act or a court order to act on behalf of a client.

(4) An appeal may be commenced with respect to the assessment of eligibility by an individual who applied for the RHS benefit before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2018* or by a person with authority pursuant to an Act or a court order to act on behalf that individual.

15 Apr 2005 cS-8 Reg 7 s37; 18 May 2018 SR
35/2018 s27.

Appeal to program manager

38(1) An appellant may appeal a decision mentioned in subsection 37(1) to a program manager or a program manager's designate by submitting to the program manager a written notice of appeal within 30 days after the date of the decision.

(2) An appellant must provide any written documentation in support of the appeal when submitting the notice of appeal.

(3) Within 20 days after receiving a notice of appeal, a program manager or designate shall:

- (a) consider the appeal and make a decision; and
- (b) mail to the appellant a copy of the decision together with written reasons for the decision.

15 Apr 2005 cS-8 Reg 7 s38.

Adjudicator

39(1) The minister shall appoint an adjudicator for the purpose of considering and determining appeals pursuant to section 40.

(2) The ministry shall provide the adjudicator with any clerical and other support that is needed for carrying out the duties of the adjudicator pursuant to these regulations.

15 Apr 2005 cS-8 Reg 7 s39; 18 May 2018 SR
35/2018 s28.

Appeal to adjudicator

40(1) An appellant may appeal a decision of a program manager or designate pursuant to clause 38(3)(a) to the adjudicator by filing a notice of appeal, together with any written submissions and materials in support of the appeal, with the ministry within 30 days after the date of the decision.

(2) The ministry shall promptly transmit to the adjudicator any notice of appeal filed pursuant to subsection (1), together with any written submissions and materials filed in support of the appeal.

(3) As soon as is practicable after a notice of appeal filed pursuant to subsection (1) is transmitted to the adjudicator, the adjudicator shall provide the program manager or designate with a copy of the notice of appeal and any written submissions and materials filed by the appellant.

(4) The program manager or designate shall:

(a) file any written submissions and materials in support of the decision that is the subject of the appeal within seven days after receiving a copy of the notice of appeal; and

(b) as soon as is practicable, provide the appellant with a copy of the submissions and materials mentioned in clause (a).

(5) An appeal pursuant to this section is to be based on the written submissions of the appellant and the program manager or designate.

(6) The adjudicator shall review the decision and the submissions of the parties and may require the parties to provide further information.

(7) The adjudicator shall make a decision within 20 days after the day on which the notice of appeal is transmitted to the adjudicator and provide the parties with a copy of the decision, together with written reasons for the decision.

(8) The decision of an adjudicator is final and there is no further right of appeal.

15 Apr 2005 cS-8 Reg 7 s40; 18 May 2018 SR
35/2018 s29.

Benefits to successful appellant

41(1) Where an appellant who was receiving the RHS benefit before the commencement of an appeal pursuant to section 38 is successful on the appeal or on a further appeal pursuant to section 40, and it is determined that the appellant is entitled to receive the RHS benefit in an amount greater than the amount actually received, the appellant is entitled to receive a payment in an amount equal to the difference between the total of the amounts actually received and the total of the amounts to which the appellant is determined to be entitled.

(2) Where an appellant who applied for the RHS benefit before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2018* and whose application was refused is successful on an appeal pursuant to section 38 or on a further appeal pursuant to section 40, and it is determined that the appellant is entitled to receive the RHS benefit, the appellant is entitled to receive a payment in an amount equal to the total of the amounts of the RHS benefit that the appellant would have received if the appellant's application for the RHS benefit had been approved.

15 Apr 2005 cS-8 Reg 7 s41; 18 May 2018 SR 35/2018 s30.

PART V General

Supplementary health benefits

42 Supplementary health benefits specified in the Saskatchewan Assistance Plan Supplementary Health Benefits Regulations, being Saskatchewan Regulations 65/66, may be provided to a client and members of a client's eligible family unit.

15 Apr 2005 cS-8 Reg 7 s42.

Overpayments

43(1) Overpayments will be deducted from the next regular payment.

(2) Subject to subsection (3), if the amount of an overpayment exceeds the amount of the RHS benefit payable in the next regular payment, the remainder of the overpayment will be recovered by deduction from succeeding regular payments until the entire amount of the overpayment is recovered.

(3) Where, in the opinion of the program manager, exceptional circumstances exist, the program manager may reduce the rate at which overpayments are recovered from a client.

15 Apr 2005 cS-8 Reg 7 s43.

Coming into force

44(1) Subject to subsection (2), these regulations come into force on April 1, 2005.

(2) If these regulations are filed with the Registrar of Regulations after April 1, 2005, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

15 Apr 2005 cS-8 Reg 7 s44.

Appendix

Repealed. 10 Jne 2011 SR 34/2011 s16.