

Communiqué

Issue 2025-004

Date: February 3, 2025

The Requirements, Recommendations and Guidelines in this Communiqué are applicable to the social housing providers administered by the City of Hamilton.

✓	Providers Under <i>Housing Services Act, 2011</i>
✓	Providers Under a Federal Operating Agreement
✓	Requirement
	Recommendation
✓	Guidelines
	For Information Purposes Only

SUBJECT: Treatment of Robinson Huron Treaty Settlement Monies Under Rent-Geared-to-Income Assistance

The purpose of this Communiqué is to provide clarification and guidance to Housing Providers on the treatment of Robinson Huron Treaty Settlement Agreement for Past Compensation monies under rent-geared-to-income (RGI) assistance rules. This Communiqué is a condensed version of SH notification Release 25-01 from the Ministry of Municipal Affairs and Housing.

According to the Canada Revenue Agency, the Robinson Huron Treaty Settlement is a specific claim, as defined by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC).¹ As a specific claim, Settlement monies:

- **should not be included in net income**
- **should not impact income calculations** for recipients of RGI assistance under the HSA or the Canada-Ontario Housing Benefit (COHB)

Interest earned on Settlement monies **should be included in net income** unless the interest is exempt under the federal *Income Tax Act*.

To reflect the above guidance and ensure that Settlement beneficiaries do not lose eligibility for RGI assistance as a result of receiving Settlement monies, the City of Hamilton has amended our Policies. The updated policies are summarized below:

Policy	Summary of Changes
Income and Asset Limits Policy	Under 'Excluded Assets' 16. Settlement monies received under the Robinson Huron Treaty Settlement. These funds should not be counted towards the total value of a household's assets,

	including when invested in other non-exempt savings accounts.
Calculation of Rent-Geared-to-Income Assistance	Under 'Excluded Income' Settlement monies received under the Robinson Huron Treaty Settlement, excluding interest earned on settlement monies if not exempt under the Federal Income Tax Act. Under 'Income NOT included and deductions from the ANI calculation' Do not include...and Robinson Huron Treaty Settlement Monies, with the exception of interest earned from these monies if not tax exempt.

The website will be updated shortly to reflect the revised version of these policies. Excluding the value of Settlement monies would effectively raise the asset limit for Settlement Beneficiaries who are current or future RGI recipients. For example, if a Service Manager's asset limit is \$50,000 and a household has two beneficiaries who each received \$100,000 in Robinson Huron Treaty Settlement monies, the adjusted asset limit for the household would effectively become \$250,000 (for as long as the beneficiaries remain in that household).

Please contact your Housing Administration Officer if you have any questions:

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¹Specific claims deal with past wrongs against First Nations. These claims (made by First Nations against the Government of Canada) relate to the administration of land and other First Nation assets and to the fulfilment of [historic treaties](#) and other agreements. *Specific Claims* (June 11, 2024)

<https://www.rcaanc-cirnac.gc.ca/eng/1100100030291/1539617582343>