

1981

## c 14 Ontario Pensioners Property Tax Assistance Amendment Act, 1981

Ontario

This Bill was passed by the Legislature after the the 31st day of December, 1980 and before the Revised Statutes of Ontario, 1980 came into force. It is shown here in the form in which it was passed, before its revision by the commissioners under the authority of section 4 of The Statutes Revision Act, 1979. It is published in its revised form as chapter 14 in the public acts section of this volume.

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BILL 78

1981

(Chapter 14)

## An Act to amend The Ontario Pensioners Property Tax Assistance Act, 1980

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.—(1) Clause *e* of section 1 of *The Ontario Pensioners Property Tax Assistance Act, 1980*, being chapter 18, is repealed and the following substituted therefor: s. 1 (e),  
re-enacted

(e) "housing unit" includes,

- (i) subject to subclauses ii and iii, any premises that an individual ordinarily occupies and inhabits as his residence in the year,

but does not include,

- (ii) premises that are part of a chronic care facility or other similar institution that is prescribed, or that are part of any charitable institution, home for special care, home for the aged, public nursing home, or private nursing home, or
- (iii) premises, during such time in the year as,

- A. such premises are exempt from the payment of taxes levied under *The Provincial Land Tax Act, The Local Roads Boards Act* or taxes for municipal and school purposes levied in respect of real property in Ontario that is assessed as residential or farm property, or R.S.O. 1970,  
cc. 370, 256
- B. the owner does not pay a grant equal to the full amount of the taxes described in sub-subclause A that would, if such

premises were not exempt, be payable or a grant equal to an amount prescribed by the Minister in respect of such premises or class of premises.

s. 1 (h) (ii) B,  
re-enacted

- (2) Sub-subclause B of subclause ii of clause h of the said section 1 is repealed and the following substituted therefor:

B. rent paid or agreed to be paid in the year to which the application relates for occupation of a principal residence of the applicant where such rent is paid or agreed to be paid by or on behalf of the applicant or his spouse and is calculated to exclude all payments on account of meals or board and all payments of rent for occupation prior to the 1st day of January, 1980.

s. 3,  
amended

2. Section 3 of the said Act is amended by adding thereto the following subsection:

(4) Notwithstanding subsection 1 or 3, where a husband and wife who are both eligible persons make an application for a grant as a family unit in respect of the year in which they marry, a further application for a grant may be made by one of the spouses in respect of his occupancy cost in that year prior to marriage and, provided that such occupancy cost is not included in the application made for that year by the family unit, the Minister may pay such grant under section 2.

s. 7,  
amended

3. Section 7 of the said Act is amended by adding at the commencement thereof "Subject to section 8".

s. 8,  
re-enacted

4. Section 8 of the said Act is repealed and the following substituted therefor:

8.—(1) An eligible person who dies is, with respect to the year of his death, entitled to,

(a) that portion of a grant paid to him under subsection 3 of section 2 without an application, by a cheque that is dated on, or prior to, the date of his death; and

(b) a grant paid under section 7 by a cheque that is dated on, or prior to, the date of his death,

Death  
in year

and, if he is alive on the earlier of the dates shown on an application completed by him for a grant under section 2 or the date upon which such application is received by the Minister, he is entitled to the balance of the grant payable under section 2 in respect of the year in which he died.

(2) Where, in any year, as a result of subsection 1, an eligible person is entitled to only a portion of a grant under section 2, there shall be deducted from any grant to be paid to the surviving spouse of such eligible person for that year, the portion of the grant that such eligible person was paid.

(3) An eligible person is, with respect to the year in which he ceases to be ordinarily resident in Ontario, entitled to,

(a) that portion of a grant paid to him under subsection 3 of section 2 without an application, by a cheque that is dated on or prior to the date upon which he ceases to be ordinarily resident in Ontario; and

(b) a grant paid under section 7 by a cheque that is dated on, or prior to, the date upon which he ceases to be ordinarily resident in Ontario,

and, if he is ordinarily resident in Ontario on the date upon which his completed application for a grant under section 2 is received by the Minister, he is entitled to the balance of the grant payable under section 2 in respect of the year in which he ceases to be ordinarily resident in Ontario.

5.—(1) Section 9 of the said Act is amended by adding thereto the following subsection: s. 9, amended

(2a) Where the Minister has determined that a person is not entitled to a grant or any amount referred to in subsection 1 of section 14, he shall, when requesting repayment thereof, inform the person of the reason for his decision and of his right to object in accordance with this section. Reason for request for repayment

(2) Subsection 3 of the said section 9 is amended by striking out "an applicant" in the first line and inserting in lieu thereof "a person". s. 9 (3), amended

6. This Act shall be deemed to have come into force on the 20th day of May, 1981. Commencement

7. The short title of this Act is *The Ontario Pensioners Property Tax Assistance Amendment Act, 1981*. Short title

