

CHIPPEWAS OF GEORGINA ISLAND FIRST NATION



HOUSING POLICY

**Effective
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Glossary of Terms

As used in this housing policy manual, the following definition will apply:

“Applicant” means a Band Member who is applying for a housing allocation and is a minimum of 21 years of age applying to the Chippewas of Georgina Island First Nation Housing program, who will be responsible for costs incurred upon approval of recommendation.

“Arrears” refers to housing-related payments owed to the Chippewas of Georgina Island First Nation and not yet received for which a member has entered into agreement with Chippewas of Georgina Island First Nation and has agreed to repay. Current bank interest charges will be applied to any amount outstanding beyond each fiscal year.

“Band” means the Chippewas of Georgina Island First Nation unless indicated otherwise.

“Band Council Resolution” or the acronym “BCR” shall refer to the Chippewas of Georgina Island First Nation whose name appears on the band membership list maintained.

“Band-Owned House” means a house, or other residential property owned and administered by the Chippewas of Georgina Island First Nation.

“Borrower” is the Band member(s) who enters into a loan or mortgage agreement to repay the housing allocation to the Band on a Ministerial Loan Guarantee.

“Certificate of Possession” is the evidence of title to the land.

“Chippewas of Georgina Island First Nation” refers to the duly elected Chief and Council.

“Co-Applicant” means a person who is a minimum of 21 years of age who is applying with an Applicant to share costs and or habitation upon approval under the Housing Program.

“Construct” means to do anything in the erection, installation, extension or material alternation or repair of a building and includes the installation of a building unit fabricated or moved elsewhere.

“Default” means to be in arrears or owing housing-related payments to the Chippewas of Georgina Island First Nation.

“Demolish” means to remove any building or any material thereof in its entirety that have been deemed condemned or inhabitable or a safety hazard. In addition, contractors must backfill and/or restore property where necessary.

“Emergency situation” means a person/s or family are in a situation of exceptional housing need, which constitutes an Emergency that can reasonably be addressed only by resettlement or other appropriate assistance, in terms of this programme.

“Eviction” refers to the action taken by the Band to remove a tenant from a Band-owned house, being rent-to-own, single dwelling home and apartment(s) for failure to meet the conditions of their rental agreement.

“Foreclosure” is the legal action taken by the Band to remove the borrower from the house to regain ownership of the property when the borrower fails to meet the terms of their mortgage agreement.

“Household Income” means the aggregate gross income, in whatever form received, of all members of the household.

“Housing Unit” means the house or apartment occupied by the rental tenant.

“Housing Committee” shall mean the committee established by Council to oversee the implementation of the housing program; the adherence to the housing policy and the selection and recommendation of candidates for the housing program(s).

“Housing Coordinator and Band Manager” shall be the persons appointed by Council to assist Council in ensuring that all Housing Policy management plans are implemented and operational. The Housing Coordinator shall manage the day-to-day operations, oversee the financial management of the Housing Program and shall report to Council, when and as requested.

“Housing Program” will refer to the Chippewas of Georgina Island First Nation Social Housing Program Rental Units, CMHC units, RRAP, RRAP Handicap and RRAP HASI, INAC Minor Capital Renovations and New Construction or any other housing program which may be available and administered by the Georgina Island Chief and Council.

“Preventive Repairs and Maintenance” refers to the work done to a unit which will extend the life of the component or equipment.

“Proof of Income” is the requirement for the tenant to supply documentation to verify annual income of the household and can include T-4’s, Revenue Canada Notice of Assessment (T451), pay stub or letter of employment from employer or other such documented proof of income as required or at the discretion of the housing committee.

“Regular Upkeep” refers to the regular cleaning and maintenance to the unit by the tenant. Refer to attached schedules.

“Rent” means the amount paid or required to be paid monthly by a tenant to the Chippewas of Georgina Island for the right to occupy a band-owned housing facility.

“Rental Agreement” means a written tenant rental agreement between the Chippewas of Georgina Island First Nation administered by the housing department and a tenant for the right to

occupy a band-owned house, and includes any renewal of such an agreement. Refer to attached schedules.

“Sweat Equity” is defined as labour provided by the homeowners in the construction of his/her own house.

“Tenant” means a person who enters into rental agreement with the Chippewas of Georgina Island First Nation and who pays rent or is required to pay rent in return for the right to occupy a band-owned house or CMHC social housing.

Chippewas of Georgina Island First Nation Housing programs shall be managed in accordance with the policies, regulations and procedures set out herein and adopted and mandated by Chief and Council.

The following are the rules that shall apply to all First Nation housing and it shall be a document which the Housing Department must adhere to at all times until such time it is amended through an annual review process.

In the event that Rental, Lease or Mortgage Agreements are unclear or vague in detail, this Housing Policy shall supersede all previous housing policy.

1.1 Mandate Statement

The mandate of the Chippewas of Georgina Island First Nation Chief and Council as well as the Housing Committee is to ensure that all members of the First Nation have equal access to safe, affordable and quality housing on reserve by establishing suitable policies and procedures for all Band members to follow in a fair and equitable manner.

2.0 STRUCTURE OF HOUSING COMMITTEE

Housing Committee members may be any member of the Band who resides on the reserve full time or part time or whom is employed by the Band and is interested in working towards the goals of the First Nation Housing program.

Housing Committee members are volunteers and will remain on the committee until a review is required by Chief and Council.

- The Housing Committee must have a minimum number of three Band members and up to a maximum of five Band members.
- Portfolio Councillor, Band Administrator and Housing Coordinator will be ex officio members of the committee.

2.1 Roles and Responsibilities of the Housing Committee

Housing Committee members will assume responsibility for the First Nation's Housing Program's interests and objectives and must therefore appreciate the level of commitment and responsibility required of them.

1. They must act at all times in the best interests of the First Nation as a whole and promote the purpose and objectives of this policy.
2. Attend and participate in all Housing Committee meetings.
3. Prepare for meetings by reading all relevant reports and information and keep in touch with the general needs and concerns of the band members.
4. Make recommendations to Chief and Council for their consideration regarding future budgetary and expenditures which will be based on the forecasted needs of the overall housing program.
5. Review all applications for a housing subsidy, renovations and repair grant and, other programs such as the CMHC RRAP program and make recommendations to Chief and Council for final approval.
6. Review all applications for available band rental units, conduct interviews, if necessary, and make recommendations to Chief and Council for final approval.
7. Monitor housing projects and programs and review the Housing Policy on an ongoing basis to ensure that it accurately reflects the needs of the community and make recommendations to Chief and Council on any and all policy changes for implementation.
8. Investigate particular problems or concerns brought to the attention of the Housing Committee, from time to time, on behalf of the Housing Coordinator.
9. Keep up to date and review annually all applicable policies and bylaws established by the First Nation that may have an impact on the housing program.

2.2 Roles and Responsibilities of Chief and Council

Chief and Council will make all final decisions based on the Housing Committee's recommendations unless otherwise determined between the two parties. This may be done so by a community meeting or by a notice asking for any comments regarding the recommended changes.

1. Approve policies and procedures to guide the administration of the housing program and governs the financial and administrative reporting mechanisms, resident tenant selection, and so on, however this may be done in cooperation with the Councillor Responsible for Housing.
2. Delegate authority for the administration of the housing program to the Housing Coordinator and the Band Administrator.

3. Monitor the work of the Housing Committee and report on the housing progress to the community.
4. Act as an appeal/dispute resolution mechanism when problems arise between the Housing Committee and Band members.
5. Depending on the division of powers decided upon by the Chief and Council, either sole or shared responsibility, will make decisions regarding financial matters including large expenditures and determine a budget for housing.

2.3 Roles and Responsibilities of the Councillor Responsible for Housing

The Councillor responsible for the Housing is designated as the Chair of the Housing Committee and is responsible for:

1. Monitor and oversee the operations of the Housing Committee in order to ensure that the day-to-day activities of the Housing Committee are furthering the goals of the community, and that the First Nation's policies and procedures, agreements and mandates are followed.
2. Call meetings of the Housing Committee and prepare (with the assistance of the Housing Coordinator) agenda items for meetings, preside over meetings in order to ensure proper protocols are followed, etc.
3. Report issues to and from the Chief and Council and Housing Committee.
4. Ensure that conflicts of interest or the appearance of potential conflicts of interests are avoided during the Housing Committee's deliberations of business and resolves these in a timely fashion, if they arise.
5. Report to the Chief and Council on all aspects of the Housing Committee's operations and ensure that all reports are accurate and requirements determined by Chief and Council are followed.

2.4 Roles and Responsibilities of Band Administrator and the Housing Coordinator

The Band Administrator and the Housing Coordinator will work together and be responsible for the following:

1. Identify and prioritize the community housing need and determine the financial resources required.

2. Manage the day to day operations and administration of the housing program (e.g. ensure rents are paid, complaints are dealt with etc.) and ensure that decisions are made with the best interests of the community in mind.
3. Complete quarterly financial and administrative reports for review and use by Housing Committee and Chief and Council.
4. Budget and plan for the sustainable administration of the First Nation's housing program and ensure that policies and procedures are followed in accordance with this policy.
5. Oversee construction and maintenance in order to ensure that the project(s) stay within pre-determined budgets.
6. Identify possible funding and financing sources for housing projects and acquire such funding and financing.

2.5 Removal of a Committee Member from the Housing Committee

A member of the Housing Committee may be removed by Chief and Council for any of the following reasons:

- Not willing to remove themselves from a conflict of interest situation
- Breach of confidentiality
- Gaining personal benefit from sitting on the Housing Committee
- If a member of the Committee resigns
- If a member misses three consecutive meetings without just cause
- Restructure of Housing Committee

2.6 Filling Vacancy on the Housing Committee

- 1.0 In the case of a vacancy due to termination or resignation, applications will be reviewed by the remaining Housing Committee members and a recommendation will be given to Council for a final decision of replacement.

The Chief and Council may or may not decide to continue with a Committee. If the Chief and Council do request that the Committee be restructured, there shall be a posting placed in visible locations within the community for a minimum of two weeks.

In the case of restructuring, applications will be reviewed by the Councillor responsible for Housing and recommendations will be made to the rest of Council, who then will make the final decision on the selection of new Committee Members.

2.7 Conflict of Interest

Conflict of Interest means a Housing Committee member's personal and/or business interests compete with his or her responsibility to act in the best interest of the Band and/or Community as a whole.

Situational Procedures

- 1.0 Each Housing Committee member has an obligation to avoid conflicts of interest. If a conflict of interest does arise, this person shall declare the conflict at the earliest opportunity and shall disclose the nature and then remove themselves from the room.
- 1.1 The remaining Housing Committee members shall review the circumstances and decide if a conflict exists. If it is found by the remaining Housing Committee members that a conflict does not exist, the person may still refrain from participating in the meeting(s) where he/she does not feel comfortable after stating their case to the rest of the Housing Committee, with just cause.
- 1.2 Members of the Housing Committee may ask a Committee Member to refrain from participating in a meeting(s) due to conflict of interest after stating their case with just cause.
- 2.0 If a Housing Committee member believes a member is in conflict of interest and has not declared it, it is the responsibility of that member to inform the Chairperson of the perceived conflict of interest and the Chairperson shall rule on the matter.
- 3.0 In a case where the Chair refrains or is asked to refrain from participating in a meeting due to conflict of interest, it shall be decided amongst the remainder of the Housing Committee as to who will Chair the meeting in his/her absence.

2.8 Confidentiality

Any and all discussions that take place during an official meeting of the Housing Committee are strictly confidential. No items are to be discussed outside of Committee business.

3.0 HOUSING SUBSIDY GUIDELINES

3.1 Overview

The First Nation Housing Subsidy is an allotment from the First Nation that enables Georgina Island First Nation Members an opportunity to construct a home on the First Nation territory. The amount and availability of this subsidy is determined annually during the Council's budgetary meeting and will depend on the community's minor capital allotment from INAC.

3.2 Types of Units

New construction ~ Single family Unit

House must be a minimum of 900 square feet and will depend on the number of household occupants. The cost of any larger area will be the responsibility of the homeowner and proof of availability of funds for this purpose must be provided by way of pre-approval loan from a lending or other financial institution.

Loan security is by a loan agreement with the approved lender, secured by a Band Council Resolution and with a Ministerial Guarantee obtained through INAC. The Ministerial Guarantee protects the lender if the agreed repayment of the loan is not made.

***Please note:** The First Nation requires that a certificate of possession be signed over, until mortgage is paid in full and to guarantee payment from the home owner in the event of default so the First Nation is covered when payments are not made.*

Modular Homes

Any modular homes must be acceptable and approved by Chief and Council and the Housing Committee and must meet the Canada Building Code standards.

Exceptions

An applicant may, under emergency situations and providing that funding is available and assessed by the Housing Committee and approved by Chief and Council, obtain a loan/mortgage from CMHC or a lending institution, to purchase an existing house, provided that a loan/mortgage does not exist on that house and is free and clear from all encumbrances. The criteria for the housing loan will apply in such cases.

The housing inspector will be called into inspect the house which is being purchased to ensure that the Band funds are being utilized in an efficient manner.

3.3 Eligibility Criteria

Pre-Selection Approval – Eligibility Criteria:

1. A band member must be 21 years of age or older in order to be considered for a Housing subsidy.

2. They will be able to obtain funding to fully complete the project in a specified time period.
3. They have an unencumbered surveyed lot available in which to build, meaning a band member must have a building lot in their name or documentation indicating that a transfer of ownership is in process.
4. Band Members will have the responsibility to ensure that their application is updated on an annual basis (Appendix A). All applicants will only be kept on file for a maximum period of one year. An application that has not been updated within the year will be considered inactive and removed from the priority list.
5. Credit checks will be done to ensure the band member has a good past credit record and that the band member can afford to finish the construction of the dwelling.
6. Applicants must have no outstanding debts with the Chippewas of Georgina Island First Nation. However, this may be assessed on a one to one basis by the Housing Committee to determine the ability of repayment of said debt.
7. Band Members who have lost a home to fire and did not have adequate insurance coverage will not qualify for a housing subsidy if they have received any kind of subsidy from the Band in the past.

Post-Selection Approval – Eligibility Criteria:

1. All contracts pertaining to the construction of the home being built with Housing Subsidy monies must be in place before work commences (e.g. septic systems, general contractors, environmental assessment or other). This is the responsibility of the applicant. The Housing Coordinator can assist.
2. The applicant must carry adequate homeowners insurance on the building for the length of the mortgage.
3. The successful applicant will be responsible for the payment of all barge fees associated with the construction of their home. There will be absolutely no billing permitted. Passes may be purchased at the Administrative Office.
4. If a mortgage is required to complete construction of a home, the successful applicants will be required to sign a Land Transfer of their certificate of possession for the length of the mortgage.
5. Successful applicants must use the house as their primary residence for a minimum of 10 years and understand that the home is not to be used as a source of income (e.g. as a rental unit unless otherwise discussed and agreed upon with the First Nation). The subsidy is to provide permanent homes for people in need of adequate housing.

6. Successful applicants will be responsible for all maintenance and repairs needed for the up keep of their new home to an acceptable standard. Standards include but are not limited to health and safety, appearance, and environmental issues.

Restrictions

1. Successful applicants will not be eligible to qualify for assistance from the First Nation Housing Renovation program or RRAP for a period of 15 years after receiving a Housing subsidy from the First Nation.
2. Generally a band member can only access this program once. In an emergency situation applications will be dealt with on a one to one basis.
3. Band Members who owns their own home on the mainland do not ordinarily qualify for a housing subsidy unless they agree, in writing, to sell their home on the mainland on completion of their home on Georgina Island.

3.4 Procedure

Applications will be reviewed by the Georgina Island First Nation Housing Committee and recommendations shall be sent to Chief and Council for approval.

1. Subject to the availability of funding, a Call for Applications by the Councillor responsible for Housing will be announced during a duly convened council meeting in April and will be posted at the Band Office and in the community for a minimum of two weeks.
2. Applications are received and reviewed by the Housing Committee and interviews scheduled with eligible candidates.
3. Interviews are held and scored using a point allocation selection process:
 - a. The Housing Coordinator will prepare all point allocations for the applications, which will be reviewed by the Housing Committee, and will make recommendations for loan approval. Applicants will be reviewed and selected based on their Housing Application.
 - b. Upon scrutiny of applicants facts members who have the most points on the date the applications are reviewed will be awarded first choice in receiving a housing subsidy.
 - c. If a tie exists, the application that has been on file the longest will be given priority.
 - d. Applications will be reviewed and recommendations for the selection of approvals for that current year will be made.

- e. Successful applicants will be notified of their approval.
- 4. Successful candidates are given deadlines to have requested documentation submitted.

For new construction to obtain a building permit, the Applicant must be able to provide:

- a. Construction drawings and specifications for each housing unit
 - b. Estimate Costs of completions
 - c. Contractor (s) Information
 - d. Certificate of Possession
 - e. Lot must be surveyed
 - f. Environmental Screening
- 5. Documentation submitted is reviewed and approved.
 - 6. Applicant must obtain a minimum of two competitive construction quotes.
 - 7. Agreements are signed.
 - 8. Construction commences and inspections take place.

Construction

- a. The applicant must insure the house with builder's insurance as soon as construction begins or material is delivered and must submit proof of such to the Housing Coordinator at the administration office.
- b. The successful applicant must have engineer's stamped blueprints that meet the National Building Code or the Ontario Building Code, a site plan as well as specification forms.
- c. Applicant and builder must meet with the building inspector, the environmental health officer and housing portfolio holder to review plans and lot prior to construction commencing. The lot must be clearly staked out including placements for the house, septic system, and waterline hook up or drilled well before meeting takes place.
- d. Septic, heating and water are mandatory requirements when building new homes. The costs for water hook-ups and hydro hook-ups will come out of the housing subsidy grant.
- e. Successful applicants will be responsible for all disbursements (of funding) to suppliers and contractors. All cheque requisitions and purchase orders will be signed by the band member and housing Portfolio Councillor and must be submitted to finance by 1:00 pm Wednesday afternoons.

Inspection

- f. The First Nation or a designate individual/agency may perform inspections. These inspections are to be requested by the applicant and set up by the First Nation 10 days in advance of inspection. The contractor should establish a schedule with the inspector for progress inspections. The First Nation may also engage qualified technical assistance to ensure the quality of the work and compliance with the associated building codes. The First Nation covers the cost of inspections.
- g. Various inspections are required (see appendix) to be done to determine the work that has been completed for progress reports per agreements, progress payments and/or corrections that previous inspections may have indicated. It is the applicant's responsibility to ensure that the Band is contacted 10 days in advance when an inspection is needed, as well as to ensure that the contractor receives the inspection reports so as to be able to fix any deficiencies prior to the next inspection.

Disbursement

Each disbursement will be agreed to prior to payment and outlined in the contract/agreement upon inspection. Various stages of construction will be agreed to. All payments will be based on inspections and at what stage an invoice will be submitted and payment issued. Each disbursement will be given as per invoice, which is to be signed by the contractor, homeowner and the Councillor responsible for Housing.

The invoice must be for work completed only and not exceed the original estimates that were received from the contractor prior to starting construction. A holdback of ten percent (10%) will be applied to any invoice issued until the work has been inspected and approved. Stages for invoicing could include completion of foundation, framing, insulation/vapour barrier, rough in plumbing and electrical, window and doors installation, drywall, interior finish and final occupancy inspection.

- 9. Construction is completed.
 - a. Once construction has reached completion and the unit is ready for occupancy the unit will be occupied by a First Nation Member. This is a date that the 10 year term of the agreements will commence.
 - b. If terms and conditions are not met and are not satisfactory to the First Nation, the First Nation has full right to request that the loan be paid back in full or the right to repossess the home and the property.
- 10. Occupancy is granted by the First Nation.

4.0 CMHC SECTION 95 HOUSING MORTGAGE

4.1 Overview

The section 95 program is a subsidized program directed to Band Councils who want to provide rental accommodation for Aboriginal people living on reserve. Based on the availability of funding, the program assists First Nations in construction, purchase and rehabilitation, and administration of suitable, adequate and affordable rental housing.

Please note: The First Nation operates a rent to own project not just strictly a rent program.

4.2 Types of Units

- Single family dwelling (rental units)
- Multi-family dwelling (e.g. apartments, row housing)
- Residential senior facilities
- Acquisition and improvement of existing units
- Combination of any of the above

4.3 Types of Assistance Available

The First Nation has opted to receive the maximum period of 25 years in order to keep the Mortgage payments for the tenants low however mortgage terms will be determined on applicant's individual situation and interest rate.

The First Nation requires a certificate of possession be signed over, until mortgage is paid in full and to guarantee payment from the home owner in the event of default so the First Nation is covered when payments are not made.

4.4 Eligibility Criteria

Pre-Selection Approval – Eligibility Criteria

1. A band member must be 21 years of age or older to be considered for a Section 95 Housing Subsidy.
2. Band members will have the responsibility to ensure that their application is updated on an annual basis (Appendix A) All applications will only be kept on file for a maximum period of one year. An application that has not been updated within the year will be considered inactive and removed from the priority list.

3. Successful applicants must use the house as their primary residence until the mortgage is paid in full and understand that the home is not to be used as a source of income, e.g. as a rental unit unless otherwise discussed and agreed upon with the First Nation. The subsidy is to provide permanent homes for people in need of adequate housing.
4. Applicants must have no outstanding debts with the Chippewas of Georgina Island First Nation. However, this may be assessed on a one to one basis by the Housing Committee to determine the ability of repayment of said debt.
5. Successful applicants will be responsible for all maintenance and repairs needed for the up keep of their new home to a standard acceptable to Council until Section 95 mortgage is paid in full, otherwise the building ownership will revert in ownership to the Chippewas of Georgina Island First Nation. Standards include but are not limited to health and safety, appearance, and environmental issues.
6. Band members who have lost a home to fire and did not have adequate insurance coverage will not qualify for a Section 95 Housing Mortgage if they have received any kind of subsidy from the band in the past.

Restrictions

1. Garages, hardwood floors, or any “cosmetic” upgrades are restricted unless financial availability of funds for this purpose is provided by way of proof from a lending institution or other financial institution. CMHC Housing dollars cannot be used for these.
2. Successful applicants must understand that they will not be eligible to qualify for assistance from the First Nation Housing Renovation program or RRAP for a period of 10 years from the time they move into their new dwelling and start paying their CMHC Housing Mortgage.
3. A band member can only access this program once.
4. Band Members who owns their own home on the mainland do not ordinarily qualify for a housing subsidy unless they agree, in writing, to sell their home on the mainland on completion of their home on Georgina Island.

4.5 Procedure

Applications will be reviewed the Georgina Island First Nation Housing Committee and recommendations shall be sent to Chief and Council for approval.

1. Applications are received and reviewed by the Housing Committee and interviews scheduled with eligible candidates.
2. Interviews are held and scored using a point allocation selection process:

- a. The Housing Coordinator will prepare all point allocations for the applications, which will be reviewed by the Housing Committee, and will make recommendations for loan approval. Applicants will be reviewed and selected based on their Housing Application.
- b. Members who have the most points on the date the applications are reviewed will be awarded first choice in receiving a housing subsidy.
- c. If a tie exists, the application that has been on file the longest will be given priority.
- d. Applications will be reviewed and recommendations for the selection of approvals for that current year will be made.
- e. Successful applicants will be notified of their approval.

Upon approval of a section 95 housing subsidy the applicant will be required to sign a contract with the Band.

- 3. Successful applications will be notified as soon as possible after CMHC approval is confirmed of their approval.
- 4. Successful candidates are given deadlines to have requested documentation submitted and shall provide the following for new construction:
 - a. Construction drawings and specifications for each housing unit
 - b. Site plan
 - c. Name of builder and warranty number where applicable
 - d. Construction schedule and cash flow schedule
 - e. Cost breakdown for all components of construction and copies of proposed contracts
 - f. Permits for well, septic, electrical, gas and plumbing as applicable
 - g. Confirmation of fire insurance coverage during construction (First Nation provides this)

Repayment of loan (mortgage)

The construction process is now complete and the project will pass into the project operation/portfolio phase. Once construction has reached completion and the unit is ready for occupancy the following activities:

- a. The unit will be occupied by a First Nation member according to selection criteria established by the First Nation. (Housing Policy) Lease Agreement outlining the terms of the mortgage will be signed.

- b. The Interest Adjustment Date (IAD) and Interest rate will be set, (First Nation takes care of this; it does not affect payments). Monthly payments on the loan (mortgage) will begin as agreed. IAD is the date that the work is considered substantially completed and the unit is ready for occupancy. This is also the date that the mortgage will commence.
- c. If terms and conditions are not met by the member and are not satisfactory to the First Nation, the First Nation has full right to repossess the home and the property.

5.0 CMHC (RRAP) RESIDENTIAL REHABILITATION ASSISTANCE PROGRAM

5.1 Overview

Canada Mortgage & Housing Corporation (CMHC) offers funding under the Residential Assistance Rehabilitation Program (RRAP) to homeowners and for persons with disabilities.

Homeowner RRAP is available for homeowners whose house lacks basic facilities or is in need of major repair in one or more of the following categories: Structural, Electrical, Plumbing, Heating and Fire Safety.

5.2 Loan Amount

Maximum assistance/loan amounts for these programs are established by CMHC on an annual basis.

5.3 Program Criteria

- a. A band member must be twenty one (21) years of age or older in order to be considered for any housing program.
- b. Houses must be over ten (10) years old in order for the homeowner to qualify for RRAP. Band members can only access this program every ten (10) years from their previous approved repair loan or RRAP.

Please note: Exception maybe made at the discretion of the Housing Committee depending on the circumstances or as directed by CMHC RRAP program guidelines at the time.

- c. The only repairs that qualify for this program are those that are needed to meet health, structural, safety and fire protection standards as well as repairs/maintenance items that are needed to extend the life of the existing unit.

- d. Assistance may also be available to address a problem with overcrowding.
- e. RRAP for persons with Disabilities offers assistance to homeowners who wish to complete accessibility work to modify their home to suit individuals with disabilities.

5.4 Restrictions

Work carried out prior to approval is not eligible.

Travel costs for goods and services to and from Georgina Island are ineligible for reimbursement.

5.5 Procedure

CMHC's RRAP program will be accessed for those individuals who qualify under CMHC's guidelines.

1. Applications for the RRAP programs can be obtained from the housing department or committee.
2. All requests for RRAP renovation funds shall be accompanied by two quotations from qualified contractors for any work that is being proposed.
 - ✓ Estimates must show material and labour costs.
 - ✓ Estimates are to be submitted to CMHC RRAP by the Housing Coordinator for their review and approval.
3. A RRAP contract must be signed between the owner and the contractor before the renovation work begins.

See the Housing Coordinator for a copy of the RRAP renovation contract.

6.0 BAND RENOVATION GRANT

6.1 Overview

A Band housing renovation grant may be used to restore a house to good condition through repair or modification for health and safety reasons.

Maximum per grant allocation will be determined at the discretion of the Council

6.2 Program Criteria

- a. Health and safety repairs shall receive top priority.
- b. A band member must be 21 years of age or older in order to be considered for any housing program
- b. Units must be the band member's primary and sole residence and the unit must be at least 10 years old.
- d. All applicants must have a mortgage or legal title or Certificate of Possession to the house and property.
- e. As a condition of grant, applicants must provide verification of property and/or contents insurance to cover the property for loss or liability.
- f. A renovation grant will only be provided on homes that are at least ten (10) years old.
- g. Preference will be given to applicants who require renovations to upgrade their homes to bring them to Ontario First Nation Illustrated Housing Code Standards or the National Building Code or the Code adopted by the First Nation.
- h. Renovation grants will not be provided to members who are repaying a New Housing/Capital Loan for maintenance purposes resulting from neglect (within the terms of the loan).

6.3 Restrictions

- ✓ Luxury items such as garages, sun decks, skylights, sliding patio doors, whirlpool tubs, will not be considered.
- ✓ Purchase of tools and equipment are not an eligible expense.
- ✓ Improvements to the yard (e.g. landscaping) are not an eligible expense under this program.
- ✓ Member's receiving a renovation grant cannot rent out the house for the next ten (10) years. Exception may be made at the discretion of the Housing Committee depending on the circumstances.
- ✓ Travel costs for goods and services to and from Georgina Island are ineligible for reimbursement.

6.4 Procedure

1. Band members shall complete and submit an application for the Band Renovation Grant (Appendix B) to the attention of the Councillor responsible for Housing.
2. All requests for renovation funds shall be accompanied by two estimates from qualified contractors for any work that is being proposed.
 - ✓ Estimates must show material and labour cost breakdown.
 - ✓ Estimates are to be submitted to the housing administration who will forward these requests to the housing committee for their review.

Please note: It is the Band member's responsibility to ensure that their application is updated on an annual basis with the Housing Committee via the Housing Coordinator. Renovation requests shall be kept on file until the end of each fiscal year.

3. The Housing Coordinator will prepare all point allocations for the applications, which will be reviewed by the Housing Committee, and will make recommendations for grant approval. Applications will be reviewed and selected as per Appendix "B".
4. All applications will be reviewed and, recommendations for the selection of a grant for that current year will be made.
5. Members, who have the most points on the date the applications are reviewed, will be awarded first choice in receiving renovation funds.
6. Successful applicants will be notified of their approval.
7. Renovations are to be completed within the fiscal year of the grant approval by the First Nation unless the homeowner can demonstrate a need for an extension to this period.
8. A renovation contract must be signed between the owner and the contractor before the renovation work begins.

Disbursement to Contractors

9. Invoices will be required to be delivered to the administration office with the necessary signatures by Wednesday afternoons at 1:00 pm for payment. A copy of the approved inspection report will be required in order to release the holdback amounts.

The invoice must not exceed the original estimates that were received from the contractor prior to starting construction.

Inspection Requirements

Renovation Repairs will require an initial inspection to determine what repairs are needed and whether there are health, safety, structural and/or fire safety requirements. Any further inspections will be determined on an as needed basis.

7.0 BAND RENTAL POLICY GUIDELINES

7.1 Rental Criteria

- a. A Band member must be twenty one (21) years of age or older in order to be considered for any Band rental.
- b. Reference checks will be done to ensure the band member has a good record with previous and/or existing landlords and a credit check to ensure that the band member can afford the rent that is set for that particular unit.
- c. Before being accepted for the rental unit the successful applicant will be required to attend an interview with the Housing Coordinator and/or another member of the Housing Committee to review the terms and conditions of the lease and sign it.
- d. The successful applicant will be required to pay first and last month's rent before being able to access the unit.
- e. The band member will be responsible for providing the monthly payments as stipulated in the lease agreement to the Administration Office on or before the first (1st) of every month.
- f. Band members will be responsible to have an updated application on file with the Housing Coordinator when a call for applications goes out (Appendix "C").

7.2 Procedure

Upon a vacancy of a Band rental the Council responsible for Housing shall:

1. Post in visible locations within the community and have announced on the Radio a call for Band Rental Applications (Appendix "C").
2. Announce a deadline for applications and ensure that applications are not accepted after the call is closed. The call shall be posted and announced for a minimum of two (2) weeks.
3. The Housing Coordinator will prepare all point allocations for the applications, which will be reviewed by the Housing Committee, and will make recommendations regarding rent approval. This process will be done with no names corresponding to each

application to ensure that the process is done in an unbiased manner. Applicants will be reviewed and selected as per General Information section of application form.

4. Members, who have the most points on the date the applications are reviewed, will be contacted for an interview with the Housing Committee.
5. The successful applicant(s) will be notified no later than one (1) week prior to the 1st of the upcoming month.
6. Lease agreements for Rental Units will be drawn up by the Housing Coordinator and require a signature prior to occupying the unit. See Appendix “D” – Lease Agreement.

7.3 Collection of Payments

Rent Payment Due Dates

Rent is due on the first (1st) day of the month, unless otherwise agreed upon by the Administration.

Rent Collections

The First Nation is responsible for collecting the monthly rent from the tenants.

The tenants are responsible for making monthly rent repayments to the First Nation as specified in a Rental Agreement signed by the First Nation and the Tenant.

7.4 Default and Arrears

The rent shall be due on the first (1st) day of every month, unless otherwise agreed upon by the Administration. Any rent not received within fifteen (15) days shall be deemed in arrears and the occupants will be notified.

Arrears Payment

Both the tenant and the Housing Coordinator must agree to all repayment. The tenant shall be required to sign a repayment agreement which will include the amount of each repayment instalment and the date the payment is due. If the tenant fails to honour the repayment agreement, the default procedures for non-payment of rent will start immediately after an arrears payment is not made as agreed to.

Failure to honour the Repayment Agreement

If the tenant fails to pay the arrears an eviction notice will be hand delivered to the tenant. This notice will advise the tenant of the consequences for non-payment of rent.

The consequences for non-payment of rent can include:

- ✓ Garnishee wages
- ✓ If employed by the First Nation payroll deductions are taken automatically
- ✓ Restrict access to non-essential services provided by Georgina Island First Nation
- ✓ File a report with the credit bureau
- ✓ Pass the unpaid account to a collection agency
- ✓ File a claim with small claims court
- ✓ Proceed with eviction, where required

Other reasons for eviction may be result of, but limited to:

- ✓ Sub-letting, without permission of the First Nation
- ✓ Excessive noise and/or disturbance and damage to unit
- ✓ Criminal activity e.g. selling of drugs.

7.5 Eviction

In cases where all efforts to have the tenant repay rental arrears have failed and eviction is determined to be the most appropriate consequence, the housing department reserves the right to have the tenant and their household belongings removed from the home. The housing department will make recommendations for eviction to Chief and Council within 14 days of issuing the recommendations.

Eviction Notice

Once an eviction has been decided by Chief and Council, the tenant will be issued an eviction notice and be given fourteen (14) days to vacate the property. Failure to vacate within this time period will result in the housing department taking action to remove the tenant(s) and their possessions in accordance with the eviction notice. When an eviction notice has been issued, the matter will be turned over to the Georgina Island Police.

Rental Payments

During an eviction process, the housing department will not accept any rental payments and arrears.

7.6 General Policy Guidelines

Other

Any First Nation member who has been evicted from a First Nation-owned or administered unit shall not be eligible for rental housing or any other housing assistance from the First Nation until the arrears on the original rental account are paid in full.

Insurance

The tenant is required to obtain insurance on the contents of the unit against loss or damage of personal property.

Abandonment

Should the tenant fail to take possession or vacate or abandon the leased or rented premises without having given proper notice to the First Nation, the First Nation may at a time thereafter without notice or demand re-enter and re-let the leased premises to any other persons as it may see fit without prejudice to its right to claim damages against the Tenant for unpaid rent or other losses or damage suffered by the First Nation. Any abandoned furniture and person effects found in or about the leased premises may be removed and disposed of as the First Nation sees fit.

Subletting

Subletting of the rental unit is not permitted. (Subletting definition – where a tenant leases their apartment to another sub-tenant)

Additional Occupancy

Tenant(s) shall notify and/or seek prior approval from Council regarding additional occupants.

Tenant Damage

It is the responsibility of the tenant to maintain the unit in good working order. While the band will carry out regular maintenance/repairs to ensure there are no health & safety issues, they will not be responsible to complete repairs that are result of tenant damage, neglect or vandalism. The tenant shall be strictly responsible for damage to any premises of the First Nation caused by wilful or negligent conduct of the tenant, his family, visitors and other person whom the tenant permits upon the premises.

Repairs

Decorating such as paintings and minor repairs are the responsibility of the tenant. Inspections at least once a year will be carried out and repairs required listed. The First Nation will bear the cost of repairs deemed to be the First Nations responsibility.

Failure of the tenant to carry out the repair within reasonable time will result in the First Nation doing so and charging the cost to the tenant. Failure of the tenant to remit payment for the repairs is a breach of the lease agreement.

Disagreements between the First Nation and tenant's responsibility for repairs will be taken to the Housing Committee for recommendation which the Chief and Council will make final decision on.

7.7 Repairs and Maintenance

First Nation Responsibility

The First Nation will be responsible to carry out preventative repairs and maintenance to extend the useful life of the unit as defined in this policy. (See Landlord – Tenant Responsibilities)

The tenant shall notify the Housing Coordinator that they wish to make alterations to any part of a First Nation owned or administered rental unit. Any such changes must be completed by the First Nation and/or its agents, and the tenants shall not make any alterations what so ever.

Tenant Responsibility

Tenants will be responsible for regular upkeep of their unit as defined in this policy. (See Landlord – Tenant Responsibilities)

Tenants who are in arrears on their monthly rent will not be eligible for repairs to the unit they occupy (other than those repairs required for health or safety issues) until the arrears are paid in full.

7.8 Landlord and Tenant Responsibilities

Landlord Responsibilities

Doorknobs

Landlord is to supply working doors and knobs upon entry of premises.

Lighting and Electrical

Any electrical problem with circuits, panel box, breakers is to be reported to the Housing Department will be inspected by a licensed electrician.

Exterior

See Tenant responsibilities.

Mechanical parts

Maintenance will cover defective mechanical parts.

Tenant Responsibilities

Smoke Detectors and C02 Detectors

Tenant is responsible for making sure batteries are replaced when needed.
Smoke detectors and C02 detectors are to be inspected on a regular basis by the tenants.
Smoke detectors and C02 detectors must remain in good working order to ensure that they can continue providing fire protection for which they are designed.

Doorknobs

Doorknobs are responsibility of tenant. Tenant must maintain latching and locking devices in good working order and replace when necessary and shall provide the First Nation with a copy of the new key.

Walls

Interior walls and ceilings shall be maintained and cleaned by tenant on a regular basis. Walls shall be kept free from holes, loose or broken plaster that may create health, fire or accident hazards. (Tenants responsible for fixing if damaged after moving into unit)

Plumbing and Plumbing Fixtures

Tenant must keep all fixtures, drains, vents, water pipes, toilets and tanks in good working order. They must be cleaned regular and kept free from plugging.

Lighting and Electrical

All lighting fixtures (including light bulbs) are responsibility of tenant to maintain and replace where necessary.

Any electrical problem with circuits, panel box, breakers is to be reported to the Housing Coordinator will be inspected by a licensed electrician.

Pest Control

No tenant should expect reimbursement of pest control spray, without first contacting the Housing Coordinator in advance and providing the need for exterminators. Housing will not cover spraying as a preventative measure.

Appliance Repair

No maintenance will be performed on any unit that holds a valid warrantee.

Exterior

Clean debris and leaves from the eaves trough and downspouts twice a year in spring and fall seasons.

Rent to Own Tenants shall be responsible for cutting grass on front, sides and rear lawn areas of Rent to Own and CMHC Section 95 units.

Rent to Own Tenants shall be responsible for snow removal from driveway and entrance walkway.

For all Rental and Rent to Own units' yards and decks must be kept clean and clear of all garbage and recycle items.

Inspections

All First Nation owned and administered rental units (including CMHC Section 95 NHA Units) shall be inspected at least annually or as department capacity allows, to record the condition of the unit. These inspections will be used to determine the need for any preventative maintenance as well as to determine and misuse or negligence on the part of a tenant.

Vacant Unit Inspection

All vacant units shall be inspected prior to being occupied by a new tenant. A housing report shall be completed confirming and deficiencies.

Any unit left vacant for an extended period of time shall be inspected at least twice monthly to check for damage as a result of vandalism. Any necessary repairs and/or replacements shall be completed prior to the new tenant taking occupancy.

Move-In Inspection

A “move-in” inspection will be completed before a tenant moves into the property. The move-in inspection will be completed jointly by the housing department and the tenant. A checklist that confirms the condition of the property will be reviewed and signed off by the housing department and the tenant.

Move-Out Inspection

A “move-out” inspection will be completed before a tenant moves out of the property. The move-out inspection will be completed jointly by the Housing Coordinator and the tenant. The checklist completed during the move-in inspection will be reviewed to confirm the condition of the property at move-out.

8.0 APPEALS PROCESS FOR APPLICATION SELECTION

8.1 Appeal

Band members are eligible to appeal any housing related issue or decision made by the housing department or housing committee regarding the selection process for rental and for loans, and it is recommended that they also be able to appeal decisions regarding calculations of financial assistance amounts.

Appeals must be made within ten (ten) days of receipt of selection or calculation decisions and delivered in writing to the Housing Coordinator.

8.2 Appeal Hearing

An appeal will be held at the next housing committee meeting if one is scheduled within a two (2) week period, and if not then the Councillor responsible for Housing is responsible, as chair of the committee, for calling a special meeting.

The appellant will be given the opportunity to present his/her case at the meeting and then the housing committee will be left to deliberate in private and review the case.

8.3 Decision Process

The housing committee will then issue a recommendation to the Chief and Council regarding the case, and the Chief and Council will be responsible for making a final decision regarding the appeal within a two (2) week period of receipt of the housing committee's recommendation.