

ANISHINAABEG OF NAONGASHIING

Housing Policy

October 2005

1.1 The purpose of this policy is to set out a system for the good management of the housing stock in the First Nation to preserve the assets now in place at the community, and to ensure the fair and equitable management of the housing stock.

2.0 HOUSING COMMITTEE

2.1 Chief and Council will appoint a housing committee of five (5) members to implement and enforce these housing policies.

2.2 The housing committee will have authorities as defined in the terms of reference, established from time to time by Chief and Council.

2.3 The Housing Manager and the First Nation Manager will be ex-officio members of the housing committee, to provide advise and assistance to the members of the committee in the implementation of these policies.

2.4 The Housing committee will meet at least on a monthly basis to receive reports and financial information from the Housing Manager and the First Nation Manager.

2.5 The Housing Committee is accountable and reports to Chief and Council.

3.0 GENERAL

3.1 At the present time all housing stock in the community is the property of the First Nation, and those members to whom a house has been assigned are considered tenants and will be referred to as such in this policy. The First Nation at present owns four different types of housing within the community, and the needs and requirements differ within each class. The different types are:

- The original and replacement non basement homes referred to as Band Housing.**
- The First CMHC project referred to as CMHC project 1.**
- The houses constructed 5 years ago and referred to as Project 3.**
- The rental housing referred to as the 6 plex.**

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3.2 Each of these classifications of housing stock has variations in the roles and responsibilities of the First Nation and the tenants, but in all cases the implementation of the duties of the parties must be maintained to ensure the good management of the housing stock.

4.0 ALLOCATION OF HOUSES WITHIN THE COMMUNITY.

4.1 Any community member wishing housing within the community should advise The Housing Committee of their wish to be placed on the waiting list maintained by the First Nation. The application should be in writing and should indicate the size of family the reason for requesting housing. The applicants will be placed on the list and in the order in which the application is received and when either new or existing housing becomes available council will review the waiting list and allocate housing according to the following criteria:

- Family size – a one bedroom unit would not be adequate for a couple and two children.
- The immediate need. – homeless or overcrowding.
- The ability to pay the rental rate.
- The need for special facilities – i.e. handicap access.
- Ability to pay the Utilities.

4.2 The Housing Committee will offer in writing the house to the selected tenant and an agreement will be prepared outlining the roles and responsibilities of the First Nation and the tenant as outlined in this policy.

5.0 MAINTENANCE OF THE HOUSING STOCK.

5.1 The housing manager will on an annual basis inspect all housing within the community to ascertain the condition of all the houses and determine what maintenance is required by the First Nation during the upcoming fiscal year, to ensure that this information is available to Chief and Council for budget preparation, these inspection will be completed by December 31st in any one year.

5.2 A detailed report together with costs will be prepared for Chief and Council, and The Housing Committee. Council will allocate resources for repairs and maintenance based on the following:

- **Health and safety issues.**
- **That the repair required is in fact the responsibility of the First Nation.**
- **The frequency of repairs to the house.**
- **The availability of resources to complete the work.**

6.0 NEW HOUSING.

Due to the high costs of construction, and the lack of our own source funds, all new housing in the community requires a mortgage to complete the project. At the present time the main source of capital for housing is a CMHC guarantee and an operating subsidy, to assist with the repayment of the mortgage. When this subsidy becomes available, the First Nation will advise the community and request applications for inclusion in the project. These newly constructed houses will be available to residents who are already housed as well as those members on the waiting list. Selection of applicants for new CMHC housing will be based on the criteria negotiated with CMHC and will be subject to those requirements.

7.0 ROLES AND RESPONSIBILITIES.

7.1 THE FIRST NATION – will be responsible for:

- **All major structural repairs to the property, as set out in appendix “A” attached.**
- **Payment of any mortgages on the property.**
- **Annual housing inspection.**
- **All housing reports required by INAC and/or CMHC or any lending authority.**
- **Maintaining insurance coverage on the building.**
- **Collection of rents.**
- **Heating and hydro costs for the 6 plex only.**
- **Allocation of new and vacant houses.**
- **Provision of water and sewer services to all houses.**
- **Maintenance of the community infrastructure to support the houses within the community. (i.e. water treatment plant)**
- **Annual inspection and maintenance of fire safety equipment, i.e. Fire and Smoke alarms, Chimney inspections.**

7.2 THE TENANT – will be responsible for : -

- **Maintenance costs as outlined in appendix “A” attached.**
- **Payment of rent as approved from time to time by either the First Nation or CMHC in accordance with the operating agreement.**
- **Payment of utility bills – i.e. hydro, heat, telephone, internet, T.V. access etc. (heat and hydro is not applicable to the 6 plex)**
- **Insurance on contents.**
- **Any damage caused by the neglect of the tenant.**
- **Vandalism to the property caused by the tenant or his/her guests or family.**
- **Keeping the immediate grounds and yards mowed and clean.**
- **Any sheds or other out buildings erected by the tenants in good repair.**
- **The construction, repair and maintenance of decks, except where those decks are part of the design of the original house.**

8.0 RENTS.

- 8.1 The rents collected by the First Nation are used to pay the mortgages, operating costs and insurance on the housing. Rents are also necessary to assist with the operating of solid waste, water, sewer and road. The First Nation subsidizes all these services. Rents are set from time to time by council and each type of housing has a different rent according to either the CMHC operating agreement or as set by council where applicable.**
- 8.2 All tenants who are employed by the First Nation will have their rent deducted from payroll at source.**
- 8.3 Any tenants receiving Social Assistance will have their rent paid directly to the First Nation, provided that the shelter allowance is sufficient after payment of utilities to pay the rent, in the event that only partial rent payments can be made by the Social Services administrator, the balance of the rent due will be considered in arrears.**
- 8.4 Any tenants who are employed outside the community or are in receipt of employment insurance, disability pension or other government pensions are expected to come to the office to pay their rent, payments can be made at whatever time frame is suitable to the tenant, i.e. weekly, biweekly, monthly etc. The rate will reflect the monthly rate and be pro rata.**

8.5 Tenants who commence work with the First Nation and are in arrears with rent will have their deduction increased to reflect the rent arrears. The increased deduction will continue until such time as the rent arrears have been paid or until employment ceases.

9.0 REMEDIES AVAILABLE TO FIRST NATION

9.1 VANDALISM AND TENANT NEGLECT.

The First Nation will not be responsible for damage due to vandalism and tenant neglect, but if that damage creates a health hazard or is detrimental to the houses, the First Nation at the discretion of The Housing Committee may repair the damage and charge the associated costs, labour and material to the tenant for payment in addition to any rents due on the property. All cases of vandalism are to be reported to the housing manager and the police. Charges will be laid against those responsible and restitution claimed. In the event a court orders restitution and costs are paid, the amount added to the tenants account will be removed. Until restitution is paid in full the tenant is responsible for the damage.

9.2 RENT ARREARS.

In the event that a tenant is in arrears with rents the following procedures will be followed:-

- If the tenant is employed by the First Nation the administration staff will negotiate with the employee a suitable deduction to retire the arrears.**
- Tenants not employed with the First Nation will be advised of the rent arrears and the amount required to bring the rent up to date, and encourage to make suitable arrangements to pay the current rent and repay the arrears.**
- In the event that the tenant ignores the notice or refuses to make any arrangements to pay the rent and arrears, the tenants will be given 14 days notice of the First Nations intent to disconnect water services to the house.**
- If default in rent payments continues after water disconnection for more than 30 days, the tenant will be served notice that the First Nation intends to seek relief through the courts for payment of rent arrears. That relief can include garnishment of Bank accounts, wages or any other source of income and/or a request for possession of the property.**
- Absolutely NO repairs will be done to any property on which rent is in arrears, whether or not it is the First Nations responsibility.**

9.3

ABSENCE FROM THE HOUSE BY THE TENANT

(a) If a tenant is away from the home for a time and the house is empty or if hydro is disconnected from the building it will be the responsibility of the tenant to ensure that steps are taken to ensure no damage happens to the property as this will be considered tenant neglect. Steps available to the tenant are:-

- **Arrange for a family member to ensure that the house is warm and freezing does not take place.**
- **Advise the Housing Manager of the situation and request that the water be switched off and the lines drained.**
- **Arrange with the housing manager for some-one to check the house on a regular basis, especially the basement homes reliant on a sump pump to maintain water levels in the basement.**
- **Return the house to the First Nation for reassignment.**

(b) If a tenant away from home does not pay the rent for a three month period, the First Nation will consider that they have abandoned the house and will reassign the property to some-one on the waiting list.

(c) A Tenant may not sub-let a “band house” assigned to them.

(d) A tenant may sub-let the CMHC house assigned to them, provided that:-

- **The tenant advises the First Nation of that fact, and to whom they have sub-let the house. Notice to be in writing and directed to The Housing Committee, who may or may not approve the sub-let.**
- **The person to whom the property is sub-let agrees to abide by this policy.**
- **The person to whom the property is sublet is a First Nation member.**
- **The original tenant of the property agrees to be responsible for the rent at the rate set by the First Nation, regardless of what rent they are receiving from the sub-lessee.**

10.0 CERTIFICATES OF POSSESSION

The First nation has agreed with the tenants of the CMHC houses that when the Mortgages are paid in full those tenants will be given certificates of possession for the houses that they occupy under the following conditions:-

- **That all rent payments have been made, if the tenant is in arrears at that time the tenant will have the option, to continue to reside and pay rent until all arrears have been paid, to arrange a lump sum payment of arrears and then take possession.**
- **All other conditions set out in the Land's Code now being developed have been met.**

11.0 APPEALS PROCESS.

Any resident who disagrees with any decision under this policy has the right to appeal that decision, as outlined in the administration code, or in the case where the First Nation has instituted legal action to defend themselves under the court system.

This Policy has been approved on the 1st day of October 2005 and will be effective from that date. This policy will remain in place until such time as it is either repealed or amended.

Chief Albert Handorgan

Councilor Patrick Handorgan

Councilor Carl Big George

APPENDIX “A”

Maintenance Responsibilities

BAND HOUSING

First Nation

Structural Repairs
Window Replacement
Roof re-shingling
Siding replacement
Electrical repairs
Replacement of Hot water Tanks
Plumbing repairs.
Replacement of fixtures i.e.
Bathtubs- sinks – furnaces.
Insurance on Building

Tenant

Painting
Fixing Screens
Door Knobs
Light fixtures
Broken window panes
Floor covering
Appliances
Decks - installation
Decks repairs
Light bulbs- tubes
Washers on taps
Replace Taps
Tenant Caused Damage
Air conditioners
Restore House to original
Condition on Vacating the
Property.

CMHC Project 1 and 2

Structural Repairs
Window Replacement
Roof re-shingling
Siding replacement
Electrical repairs
Replacement of Hot water Tanks
Plumbing repairs.
Bathtubs- sinks – furnaces
Sump pumps -
Replacement of Appliances
Insurance on Building

Painting
Fixing Screens
Door Knobs
Light fixtures
Broken window panes
Floor covering
Decks (not part of design)
Light bulbs
Washers on taps
Tap replacement
Tenant caused damage
Air conditioners
Insurance on Contents

**Project Six plex
First Nation**

**Structural
Heating Systems
Window replacement
Roof re-shingling
Siding repairs
Electrical repairs
Replacement of Hot water tanks
Replacement of appliances.
Plumbing repairs
Replacement of fixtures
Furnace replacement
Deck repairs
Parking lot maintenance.
Insurance on Building**

Tenant

**Painting
Floor Covering replacement
Broken Window Panes
Screens
Door knobs
Light bulbs
Washers on taps
Tenant caused damage.
Insurance on contents.**

