

Vuntut Gwitchin Government Housing Policy

February 16, 2006

Adopted by VGFN Special General Assembly
April 12, 2006

1. INTRODUCTION

- a) Good housing plays a vital role in the healthy functioning of a community. Not only does it fulfill a basic human right, good housing also meets a social commitment as VGFN assumes responsibility for the general welfare of citizens as stated in the Mission statement in the Strategic Plan (2005). In addition, the business of building, renovating and maintaining residences contributes to the economic growth of VGFN and the community of Old Crow.

- b) Every Vuntut Gwitchin First Nation Citizen residing within the boundaries of the community of Old Crow has the right to housing suitable to his or her needs. Housing units may be available in a variety of forms – individual houses, duplexes, fourplexes, apartments, and elder complex are some examples – designed for the northern environment, built to codes, and located to suit the lifestyle of residents and the pattern of the community.
- c) Housing needs of VGFN Citizens shall be met to the best of Vuntut Gwitchin Government's (VGG) ability in a fair and equitable manner without family influence or political decision-making.
- d) Building, renovating and maintaining good housing has a cost, thus is not considered 'free' to Citizens. Rents and other payment arrangements shall be made by Citizens in order to support long-term sustainability of the VGG housing program.
- e) As with the ever changing lifestyle of the Citizens of Old Crow, this policy shall also change to respond to shifts in community and individual needs. The Housing Committee shall continually seek consultation with Citizens to identify these changes.

2. PURPOSE

- a) The purpose of this Housing Policy is to inform Citizens of the guiding principles and objectives, various programs that are offered by VGG, and eligibility for these programs, as well as to establish the authority of the Housing Committee.
- b) VGFN and its officials, representatives, employees and agents shall be bound by this policy.
- c) Citizens shall be bound by signed rental agreements or specific program agreements.
- d) No provision of the Housing Policy forms part of any rental or program agreement between VGG and any Tenant, nor does this policy modify, vary, amend, or otherwise affect any such agreement.

3. GUIDING PRINCIPLES

- a) All housing units in the community of Old Crow fall within one of two categories: private ownership or rental. For units deemed to be privately owned the owner(s) are issued a *Certificate of Ownership* by Chief and Council Resolution.
- b) Until a unit is assessed and categorized, the housing unit shall be deemed to be owned by VGG and shall be part of the rental housing inventory.
- c) The land that a privately owned unit sits upon and is surrounded by shall always remain under the ownership of the Vuntut Gwitchin First Nation.
- d) A Tenant shall not be forced to change to a smaller unit when situations arise where the Tenant's family size has decreased.
- e) When a family breakdown occurs, the parent who has custody of the children shall have the right to stay in the rental unit.
- f) Emergency housing needs are met in an expedient manner.

4. ADMINISTRATION

The Housing Policy is administered by the Housing Committee and the Government Services Department at VGG. This includes the development, implementation and enforcement of administration and operational procedures that follow these objectives:

- a) fairness and efficiency
- b) financial responsibility
- c) compliance with the National Building Code and other relevant codes and legislation for all construction, repairs, and renovations
- d) safe, comfortable, hygienic and functional units
- e) confidentiality of Citizens
- f) maximum employment opportunities in the housing field for VGFN Citizens
- g) opportunities for developing skills for workers

5. HOUSING COMMITTEE

- a) The Housing Committee shall be formed under the authority of this Policy.

- b) Membership shall be a maximum of seven VGFN Citizens who are residents of Old Crow. A quorum is three members. Decisions are made by consensus of the committee. Regular meetings are scheduled once a month. Additional meetings may be scheduled to deal with urgent business. Community information meetings shall be scheduled as needed.
- c) The term of each member is two years and there is no limit to the number of terms a member can serve. Members shall be selected in a fair, unbiased manner by a selection committee comprising of VGG employees and resident Citizens. The Human Resources Department of VGG shall facilitate the recruitment and selection of members.
- d) The Director of Government Services is a non-voting member of the committee. Government Services staff shall provide administrative support.
- e) The responsibilities of the Housing Committee are to:
 - a) consult with and inform resident Citizens
 - b) advise Chief and Council and the Government Services Department in regards to community housing needs, services, and procedures
 - c) make recommendations to Chief and Council on home ownership applications
 - d) make decisions, following policy and procedures, in regards to unit allocations, home ownership, non-Citizen and non-VGG employee rentals, and landlord-tenant situations
 - e) mediate between VGG and home owners and Tenants
 - f) develop committee procedures on decision making, conflict of interest and confidentiality

6. DIRECTOR, GOVERNMENT SERVICES

The Director, Government Services is responsible for the implementation of the Housing Programs. With advisement from the Housing Committee and Government Services staff, the Director shall develop strategic plans and goals, develop and submit budgets for the implementation of the goals, and practice financial responsibility in using approved funds. The Director shall also ensure that administration and operational procedures are developed, implemented and enforced.

7. CHIEF AND COUNCIL

Chief and Council, as the elected leaders of the Vuntut Gwitchin First Nation, has the duty and authority to consult with Citizens, approve policy and strategic plans, recommend procedures and allocate sufficient funds to the Government Services Department for the effective implementation of Housing Programs. Chief and Council provides assistance, at the political level, to secure third party funds for housing programs. Chief and Council has the duty to evaluate implementation and effectiveness of the Housing Policy through consultation with Citizens, and evaluation and discussion with the Director, Government Services.

8. ELIGIBILITY FOR HOUSING PROGRAMS

Applicants must meet the following requirements:

- a) A current resident of Old Crow, and
- b) A VGFN Citizen 18 years or older, or
- c) Is the custodial parent/guardian of a child who is a Citizen and who is a current resident of Old Crow

9. HOUSING PROGRAMS

The Housing Programs available through Vuntut Gwitchin Government are:

- Rental Housing
- Home Ownership
- Housing Renovations

A. *Rental Housing*

- a) All housing units, except for those deemed to be privately owned and for which a *Certificate of Ownership* has been issued, are owned by Vuntut Gwitchin Government.
- b) Rent is charged to offset operation and maintenance costs of the Rental Housing Program.
- c) For the majority of units rent amounts are based on the Low End Market (LEM) rates for Old Crow established by Canada Mortgage and Housing (CMHC). Two low-end market rates exist for Old Crow.

1. New construction 2004 and later:

Size of Unit	LEM Rate
One Bedroom	\$398.00
Two Bedroom	\$448.00
Three Bedroom	\$498.00
Four Bedroom	\$548.00

2. Units constructed prior to 2004:

Size of Unit	LEM Rate
Bachelor	\$200.00
One Bedroom	\$265.00
Two Bedroom	\$320.00
Three Bedroom	\$380.00
Four Bedroom	\$405.00

- d) Government Services Department also manages 19 units constructed under an old CMHC Section 95 Housing Program. There are rules specific for these units that are used to calculate rent geared to income. The maximum rental rate on these units is the LEM Rate for homes constructed prior to 2004.
- e) When units become vacant and available, Government Services shall post a notice for seven days in the community of Old Crow inviting applications from interested Citizens. The notice shall contain a description of the unit, location and amount of rent.
- f) Current tenants, who wish to change units because their needs have changed, may request a change in rental unit. The Housing Committee shall determine if one request can be matched with another for agreeable switching of units between Tenants. If no match is found at the time of application, the request shall remain on file.
- g) Transfer of a rental unit to another person can occur only when the unit is vacated and then re-allocated by the VGFN Housing Committee, or when units are switched.
- h) Assignment of vacant rental units and switching of rental units between tenants shall be done on a point summary basis to ensure that the selection process is consistent and that all applicants are rated on the same "key" factors. The factors that are summarized on the point summary form are:
 - a. Condition of present dwelling
 - b. Health & safety of the present dwelling
 - c. Homelessness
 - d. Length of time lived in the present dwelling
 - e. Size of family (goal will be to allocate a suitable size of unit required for the applicant's needs)
 - f. Number of families living in the present dwelling
 - g. Special needs required by the family, such as a medical condition
- i) In some extreme cases applicants can be considered for needs-based allocations. Situations in which the Housing Committee shall consider a needs-based application are:
 - a. Life threatening
 - b. Domestic violence
 - c. Serious medical conditions
 - d. Sudden Homelessness
 - e. Family re-unification

- j) Every Tenant shall sign a Rental Agreement that includes:
 - a. name, address and phone number of landlord
 - b. address to be rented
 - c. name of tenant
 - d. amount of rent to be paid and the due date for payment
 - e. date the tenancy begins
 - f. services and facilities to be provided by landlord
 - g. special services to be supplied by the landlord
 - h. length of lease, if other than month-to-month
 - i. items the landlord promises to repair
 - j. agreements about redecorating

- k) A Rental Agreement is a lawful contract. A contract can be terminated for any breach of the terms of the contract. Thus the Landlord can evict a Tenant who breaks the Rental Agreement.

- l) At the time of signing, it's important for the Tenant to understand the terms of the Rental Agreement and follow what was agreed to in the Rental Agreement. The Government Services Department shall ensure that the Tenant understands the terms of the Rental Agreement upon signing. The Tenant shall receive a copy of the Rental Agreement within 21 days of signing it.

- m) The Yukon Landlord and Tenant Act shall govern VGG Landlord and Tenant Agreements. The Director of Government Services Department or a designate shall be the Landlord on behalf of VGG.

B. Home Ownership

- a) Citizens have the option of owning units in the community of Old Crow. There are two ways to own dwellings.
 - 1. Purchasing a building that already exists. At the time of purchase, Citizens must be residents of Old Crow. The only units that can be purchased by a Citizen are:
 - a) The unit the Citizen is currently living in
 - b) The unit that family members of the Citizen are living in
 - c) A unit that is vacant
 - d) A unit that is privately owned

2. Building a dwelling that the Citizen or family members shall live in. The potential owner must be a current resident in Old Crow at the time of construction. The potential owner must have private financing through a lending institution or from other private sources. VGFN does not lend funds to Citizens for building dwellings. The building site within community boundaries must be approved by the Government Services Department.
- b) For units built before 2004, VGG shall place reasonable prices on these units using the most recent Yukon Government tax assessed value of the unit at the time of sale. The tax assessed value takes into account the physical depreciation of the unit.

Financing and payment schedule:

- a. A minimum down payment of 20 (twenty) percent is required.
 - b. The balance owing will be financed by VGG at zero percent interest for a maximum of 10 (ten) years (120 months).
 - c. The balance owing will be divided into equal monthly payments for a maximum 120 months, and will be in the form of a mortgage with VGG jointly signed by VGG and the new homeowner.
 - d. If the balance is not able to be equally divided by the months of payment then the last month shall have the larger amount to pay the balance in full.
 - e. If payments fall in arrears VGG, Government Services, and the Housing Committee will make every reasonable effort to accommodate the homeowner's situation. At last resort legal action will be taken to return the ownership of the unit back to VGG.
- c) The purchase price for units built in 2004 and afterwards shall be based on the cost of construction. Requirements for purchase are:
- a. A minimum down payment of 5 (five) percent payable to VGG.
 - b. The balance owing is paid to VGG by a lending institution where the purchaser has arranged a mortgage.
 - c. Full terms shall be written in the *Purchase and Sale Agreement*.
- d) The Housing Committee shall review the *Application to Purchase* according to established criteria, and if approved, shall determine a purchase price and payment plan. Recommendation to sell or not to sell shall be submitted to Chief and Council by the Housing Committee. Approval of the recommendation is confirmed by a Chief and Council Resolution.

- e) Proceeds from the purchase of units owned by VGG shall go to the VGG Government Services Department.
- f) When a unit is purchased, VGG shall transfer title to the private owner in the form of a *Certificate of Ownership*. When a unit is built by a private owner VGG shall issue title to the private owner in the form of a *Certificate of Ownership*.
- g) *Certificate of Ownership* does not include the land upon which the unit sits, nor the surrounding land, which shall always remain owned by VGFN. However Chief and Council shall issue a *Certificate of Land Tenure* with respect to a specific parcel of land in relation to a privately owned unit. *Certificate of Land Tenure* enables the owner of the unit to use the specific parcel of land as long as the unit exists on the parcel.
- h) When ownership of the privately owned unit changes, a new *Certificate of Ownership* shall be issued by VGG and a new *Certificate of Land Tenure* shall be issued. Units can be sold only to Citizens who are living in Old Crow.
- i) With ownership there comes a responsibility. When a housing unit is owned by a Citizen residing in Old Crow, renovation and maintenance of the housing unit is the responsibility of the owner.
- j) Chief and Council shall consult with Citizens before imposing property taxes and other legislation and procedures associated with privately owned units.

C. *Housing Renovations*

- a) The Renovation Program provides for repairs and renovations to VGG owned rental units to maintain them at a standard that is healthy, safe and functional. Repairs that extend the life expectancy of the housing unit and upgrades that increase the energy efficiency of the housing unit may also qualify for the Renovation Program. The extent of delivery of this program is dependent upon VGG yearly budgets.
- b) Financial assistance is also available through the CMHC Residential Rehabilitation Assistance Program (RRAP) Programs:
 - a. Homeowner RRAP – provides assistance to low income homeowners to bring the properties up to minimum health and safety levels.
 - b. Rental RRAP – provides assistance to landlords, of affordable housing, to pay for mandatory repairs to self-contained units occupied by tenants with incomes below the threshold for an area.

- c. RRAP for Disabled Persons - provides assistance to households occupied by persons with disabilities who require special modifications to improve accessibility to their residence.
- c) Financial assistance is also available through the CMHC Home Adaptations for Seniors' Independence (HASI) Program. This program assists low-income elderly Canadians, whose difficulties in daily living can be addressed by certain adaptations to their homes such as installing handrails, easy-to-reach work and storage areas in the kitchen, lever handles on doors, walk-in showers with grab bars, bathtub grab bars and seats.
- d) A Yukon Government (YTG) building inspector will determine if a housing unit is substandard, deficient or in need of major repair.

10. APPEALS

A Citizen may appeal a Housing Committee decision or recommendation through the process established by an Administrative Appeal Tribunal established under the VGFN Government Act.

