

Paqtnkek Mi'kmaw Nation

Housing Policy

A Working Draft

April 14, 2018

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Section 1

Background and Purpose of the Policy

The establishment of a sound First Nation Housing Policy is recognized as a viable and stable starting point to begin the development process, which in turn creates options for attracting capital and revenues required in expanding the housing portfolio in First Nations. By isolating the administration of a housing portfolio from day-to day political interventions, and by establishing a vehicle by which private sector lending can be arranged and a more business like approach to financing, the construction and renovation of housing in the First Nation can be stabilized and accelerated.

(First Nations Guide to Housing Policy. Found at:
www.afn.ca/uploads/files/housing/housing-policy-guide.pdf)

Introduction

This housing policy ensures that housing assistance is made available to band members in a fair and equitable manner and will benefit the community as a whole.

Mission

To provide the Paqtnkek community members with quality shelter that meets or exceeds the National Building Code standards, through a process that is fair and beneficial to all band members. In the development of the Housing Program, it is very important that Band members are aware and participate in the process. The community must be informed of all changes and developments that will affect their daily lives. Sound housing policies and programs are an important part of Paqtnkek's future and fulfillment of its vision.

Goals

The goals of the Paqtnkek Mikmaw Nation housing program are to:

- a) Address the need and demand for adequate housing by allocating housing assistance in a fair manner; and
- b) Provide band members with housing that meets the minimum standards of health and safety; and
- c) Protect and extend the life of housing units through maintenance education, repair, inspection, and insurance policies; and
- d) Share the responsibility for housing between Paqtnkek Mikmaw Nation and the occupants.

Housing goals established by Chief and Council will be prioritized by the Housing Committee.

Definitions

*AANDC means Aboriginal Affairs and Northern Development Canada formerly known as Indian and Northern Affairs Canada (INAC).

*Abandoned unit means a unit is vacated by the occupants for a period of one month with no agreement with the Housing Committee or Housing Director.

*Appeal means an option for applicants or occupants who wish to challenge any decision made under this housing policy. The appeal process provides for a review of information and verification that decisions made were in compliance with the housing policy and community housing goals and priorities.

*Appeals Committee means the committee that shall hear an appeal of a housing program decision as submitted by an applicant/occupant or housing director according to the terms and conditions of the housing policy.

*Applicant or applicants means the person(s) applying for assistance through this program.

*Arrear means payments owed to Paqtnkek Mikmaw Nation that are late or overdue.

*Band or “the band” means Paqtnkek Mikmaw Nation Band Council

*Band member” or “member” means an individual who is a registered status Indian in accordance with the Indian Act and a member of Paqtnkek Mikmaw Nation.

*CMHC” means Canada Mortgage & Housing Corporation.

*Community” or “the community” means Paqtnkek Mikmaw Nation community.

*Council” means the Paqtnkek Mikmaw Nation Chief and Council.

*Due diligence means to take reasonable care to confirm all of the facts and investigate all relevant aspects of an action before moving forward (e.g. eviction).

*Eviction” means the legal action taken by the Paqtnkek Mikmaw Nation Band Council to remove an occupant from a unit for failure to honour the conditions of their agreement.

*Health and Safety standards means the minimum requirements for housing that are related to public health as defined in the Health Canada Public Health Standards and safety and structural efficiency as defined in the National building Code.

*Housing Committee means an ad hoc committee set up by Chief and Council to provide decision making on housing applications and advice on Paqtnkek Mikmaw Nation Housing Policy.

*Housing Director means the position responsible for delivery and administration of Paqtnkek Mikmaw Nation housing programs and services as outlined within this housing policy.

*National Occupancy Standards” (NOS) means the number of bedrooms a household requires based on the household size and composition. Enough bedrooms based on NOS requirements.

*NOS requirements means one bedroom for each cohabiting adult couple, each non cohabiting household member 18 years of age and over, same-sex pair of children under age 18, and additional boy or girl in the family, unless there are two opposite sex children under 5 years of age, in which case they are expected to share a bedroom.

*Qualifying member” and “qualifying applicant” means a band member or applicant who meets the eligibility criteria for housing assistance under this housing policy.

*Occupant” or “occupants” means a person or persons who enter into an occupant agreement with Paqtnkek Mikmaw Nation.

Temporary housing means lasting, used, serving, or enjoyed for a time until permanent housing becomes available. This may include residents in

private rentals or units not able to accommodate a growing family.

*Unit means the housing unit owned by Paqtnkek Mikmaw Nation and/or occupied by the occupant.

*Working days means business days between and including Monday to Friday and excluding public holidays and weekend.

Policy Administration

This policy applies to:

- a) All existing and future housing units located within Paqtnkek Mikmaw Nation reserve lands; and
- b) All individuals who have made or will make an application for housing within Paqtnkek Mikmaw Nation reserve lands; and
- c) All individuals currently occupying a housing unit.

Amendments to the Housing Policy

Where amendments to this housing policy are required the housing program director shall present proposed amendments to this housing policy to Housing Committee for approval.

Where the Housing Committee approves the policy amendment this shall be noted in the Committee meeting minutes. Amendments take effect the date they are approved by Committee.

Where the policy amendment is approved the housing director shall note the amendment on a policy amendment list in the format noted below; the policy amendment list shall precede the table of contents. Amendments are numbered consecutively by date of approval by Committee until such a time that a new issue of the policy is released which contains all of the amendments listed. The reissued policy shall be identified by date and each reissue cancels and replaces all previous issues.

Section 2

Housing Program Options

1. CMHC Section 95 Subsidized Social Housing Program – Houses with a mortgage that are owned by the Band.
2. Section 6 Housing – Homes that have borrowed money to repair, ie: RRAP program, Private Bank Loan, Mini Homes shall fall under this program.
3. Band Housing – These are generally older homes in the community that were built before the CMHC housing program. Once a house is repaired, these units go into the Section 6 program.
4. Privately owned rental – Houses that have been paid for by a Band Member, and is a rental unit.

Special Needs Housing

Band will address needs as they arise.

Privately Owned Rentals

The Housing Department shall:

Enforce community policies as they relate to privately owned units.
Not be held responsible for anything concerning a privately owned unit.

1. The Construction or introduction of new rental units upon Band Land must be approved by the Housing Dept. with discussions with the Social Dept. and Chief & Council.
2. The repair of private rentals under the request of the tenant and neglect of the landlord, may be repaired by the Band using the

Household maintenance budget and charged to the landlord if the repairs are of health and related hazards, and are not dealt with in a timely manner.

3. The liable costs of an environmental incident, such as an oil spill will be the responsibility of the landlord. Therefore proper insurances need to be on all private rentals. (Building and Contents) A copy must be given to the Housing Dept. which verifies for the social Dept.
4. Land Management and development policy will determine the location and density of new units and the environmental screening of these new units.
5. Paqtnkek Mikmaw Nation will no longer allow trailers built before 1995. Must have 2x6 walls, vinyl windows & doors, shingled gable roof, proper inspections from Health Canada and a report from a certified housing inspector, be on file before rental can be charged.

Documents to be sought:

- a) Private Rental Agreement
- b) Lease Agreements for rentals
- c) Inspection reports
- d) Insurance

Roles and Responsibilities

Band Members

- a) Sign a tenancy agreement and meet the conditions of the agreement which include keeping the unit and property free of health and safety hazards; and
- b) Carry out maintenance and repairs as detailed in the occupancy agreement and the Maintenance and Repair Schedule (refer to Appendix C) or notify the housing director of any required maintenance or repairs that are the responsibility of the band as per housing policy; and
- c) Participate in unit condition inspections/assessments as described in this housing policy; and
- d) Provide the housing director with confirmation of family composition (persons occupying the unit) at least annually or immediately upon a

change of occupants, in a format as required by the housing director and as detailed within the occupancy requirements section of this housing policy; and

e) **Inform the housing director of all planned absences from the unit;**
and

f) Not interfere with or unreasonably disturb a neighbouring occupant and not jeopardize the health or safety or lawful right of a neighbouring occupant or the band.

As members of Paqtnkek Mikmaw Nation each person is encouraged to contribute their views on existing and future housing programs and services.

Chief and Council

As elected officials, Chief and Council are the decision-making body of the community and shall have the final decision-making authority during appeals of decisions.

a) Approve strategic plans and all budgets related to the delivery and administration of housing programs and services; and

b) Ensure all housing programs and services are provided; and

c) Approve all housing policies and related regulations. When considering new policies or changes to existing policies, Chief and Council shall provide an opportunity for the membership to share their views on such policies; and

d) Support housing policy enforcement.

Housing Committee

a) The housing committee is an informal housing management body which has no legal or financial authority to make decisions on behalf of council.

b) The housing committee will make decisions on applications for housing.

c) The Housing Committee reserves right to reallocate a unit.

d) The housing committee shall not be involved in the day-to-day delivery or administration of housing programs and services.

Housing Director

The housing program Director is responsible for the day-to-day

administration and enforcement of all housing programs and services.

The key responsibilities of the housing director are to:

- a) Administer the housing program by applying the program policies; and
- b) Review all applications for housing to ensure completeness and eligibility; and
- c) Carry out or oversee repairs and maintenance in a cost-effective manner and in accordance with the Maintenance and Repair Schedule; and
- d) Monitor the effectiveness of housing policies and programs; and
- e) Recommend changes in policy as needed and review housing goals and priorities annually; and
- f) Prepare annual and other reports as required to Council on the activities of the housing director; and
- g) Prepare annual budget requests for the approval of Council; and
- h) Plan and carry out community meetings on housing programs or services; and
- i) Provide information and counselling for occupants who require assistance in understanding and assuming their housing responsibilities.
- j) Approve/Deny maintenance applications.

Appeals Committee

The Appeals Committee is Chief and Council, Housing Committee Chair, and Director of Housing.

The committee shall hear appeals of a housing committee decision as submitted by an applicant/occupant according to the terms and conditions of this housing policy.

Eligibility Criteria

To be eligible for this program, an applicant shall have completed an application and submitted to the housing director (refer to the section on the application process within this policy).

In order to be eligible for a housing unit when it becomes available, an applicant shall meet the following criteria:

- Shall be a registered member of Paqtnkek Mikmaw Nation.
- Shall be 21 years of age or older. Shall complete an application for housing.
- Shall meet the family size required for the available unit.

Selection Criteria – Priority for Housing

Housing units shall be awarded to those applicants who meet the criteria for housing which may include consideration of family size, current living conditions and other priorities as outlined in policy.

Applicants remaining on list after initial screening process is complete may be asked to appear before the housing committee.

Application Process

A band member who is interested in applying to occupy a housing unit shall complete an application and submit to the housing director **every year in April**, in order to be considered when a unit becomes available. The application which must be signed and dated, must include the following:

- a) The band member's full name; and names of all occupants; and
- b) The band member's full mailing address; and
- c) The band member's telephone contact information; and
- d) The number of family members, including age and gender, that would occupy the housing unit; and
- e) The band member's Paqtnkek Mikmaw Nation band registry number.

Where the applicant does not receive a housing unit during the calendar year and is still interested in doing so, the band member is responsible to complete and submit a new application annually after **April 1st of each year**.

Applicants **MUST** provide any supporting documents where applicable.

Incomplete Application

An incomplete application (not fully completed as required and/or supporting documentation not included) or an application that is unreadable shall be either:

- a) Returned to the applicant; or
- b) The housing director may contact the applicant to confirm the information required to complete the application. The housing director shall confirm the deadline for the applicant to provide the missing information. Any incomplete applications held by the housing director shall be considered inactive until such time as the applicant provides the

missing information.

Application Procedure

The Housing Director screens applications for eligibility. Director calls meeting of housing committee. In advance of the housing committee meeting, Director or Chairperson may contact applicants to verify information provided. The housing director provides committee with copies of applications at the time of the meeting.

The housing committee holds a meeting and makes decision on successful applicants as per housing policy procedure. Housing Director will notify successful applicants by letter and post on Community and Housing Information Facebook page.

Unsuccessful Applicants have 10 days to appeal in writing, the decisions of the Housing committee.

Offering of a Housing Unit

Where the housing committee has made a recommendation on the allocation of a unit, the director will notify the successful applicant using the contact information provided in the application, within 5 working days of being selected for a unit.

An approved applicant shall have 5 working days to confirm acceptance of the unit and to make arrangements for an in-person meeting with the housing director and housing Chair to sign the required documentation including required occupancy agreement, and to review tenant responsibilities. Failure by the applicant to confirm acceptance within 5 days shall result in the application being returned to waitlist.

The approved applicants provided with pre-occupancy and post-occupancy workshops encompassing such things as home maintenance, home maintenance costs, and home-ownership responsibility (when applicable).

Priority for Housing

Health and Safety/ Current Living Conditions
Current Occupancy in Temporary Housing
Number of dependents and age of Dependents
Previous History as an Occupant
Special Needs and/or Emergency

Appeals

An applicant/occupant or housing director may appeal a decision made under this housing policy where the appeal falls under one or more of the following categories:

- a) The policy was not applied which impacted the outcome of the decision being appealed; and/or
- b) There was a lack of procedural fairness which impacted the decision being appealed (i.e. any procedural error, improper investigation, or discrimination); and/or
- c) New information has come to light rendering the original decision unreasonable in light of the new information presented; and/or
- d) The policy is unreasonable (i.e. the policy cannot be rationally supported or there is a defect in the policy, which is immediate and obvious).

Submitting the Appeal

An applicant/occupant who wishes to appeal a decision made under this housing policy shall submit their appeal in writing to the housing director and the Housing Committee Chair within five (10) working days of having been advised of the decision that they are appealing.

The applicant/occupant shall submit a notice of appeal. The notice of appeal form is available from the housing director.

The housing director shall acknowledge receipt of the appeal to the applicant/occupant, by telephone to the number provided in the notice of appeal and in writing, within five (5) working days of receipt of the appeal and shall confirm to the applicant/occupant the date of the appeal review.

If the housing director is wishing to appeal a decision he/she will submit

directly to the Appeal Board.

Reviewing the Appeal

The Appeals and Redress Committee shall review the appeal within ten (10) working days of receipt of the appeal.

Five (5) working days before the committee meeting to hear the appeal, the housing director shall present the appeal documentation to the committee and shall confirm the related housing policies and the processes that were followed regarding the decision that is being appealed.

Appeal Decision

On completion of the review of the appeal, the committee shall provide confirmation of their decision to the housing director or committee within two (2) working days to confirm either:

- a) The decision being appealed has been revised in favour of the applicant/occupant or housing director; or
- b) The housing policy was followed and there are no reasonable grounds for an appeal.

The housing director shall provide written confirmation to the applicant/occupant to confirm the committee's decision regarding the appeal within four (5) working days of the appeal meeting.

The decision of the appeal committee shall be final and no other appeal shall be heard.

Section 3

Occupant Agreement

The tenant agreement (the agreement) is administered in accordance with the terms outlined in the tenant agreement, this housing policy and the applicable band laws and regulations. The agreement outlines the terms and conditions of the occupancy and; the housing policy, band laws and

regulations form part of this occupancy agreement.

Signing of the Occupancy Agreement

After the application for housing has been approved, and prior to occupancy, the housing director and Chair shall complete an in-person meeting with the occupant to explain all aspects of the band housing program and the occupant agreement. The housing director shall review the responsibilities of the band, all rules imposed on the occupant, charges payable by the occupant and consequences for breach of the occupant agreement and/or the housing policy.

The occupancy agreement shall be signed and each page initialed by both the housing director and the occupant prior to the occupant taking occupancy of the unit.

On execution of the agreement and prior to occupancy, the housing director shall provide to the occupant:

- a) A copy of the occupancy agreement; and
- b) A copy of the housing program policy; and
- c) A copy of any by-laws, band rules and regulations that relate to the unit.

First time Paqtnkek Mikmaw Nation band occupants will sign 1-year agreements. Current occupants may be offered 5-year occupancy agreements.

Record of all meetings, Agreements and or decisions will be kept on file in Housing Dept.

Occupancy Responsibilities as per Tenant Agreement

The occupant shall meet the terms and conditions of the occupancy agreement.

The occupant shall notify the housing director of any required maintenance or repairs that are the responsibility of the band (as described in the occupancy agreement and/or the Maintenance and

Repair Schedule) and shall participate in the move-in/move out inspections and/or unit condition assessments as required by the housing director and as described in this policy.

Where the occupancy agreement lists more than one adult as occupant and where an adult occupant so listed vacates the unit the remaining occupant(s) shall notify the housing director of the change in occupants so that the housing director can amend the occupants listed on the occupancy agreement.

Where an occupant has allowed another individual(s) who is not listed on the occupancy agreement to occupy the unit without prior written approval from the housing director, or where the housing director has denied a request from the occupant to allow another individual to occupy the unit, and the unauthorized individual(s) remain in the unit, this shall be a breach of the occupancy agreement. In such cases the housing director reserves the right to terminate the agreement and have the occupant and all occupants vacate the premises (refer to the occupancy requirements section of this policy).

Occupant Counseling

The housing director shall arrange a meeting with the occupant annually or on an as-needed basis to discuss the roles and responsibilities of the housing director and the occupant, to review the occupancy agreement and the housing policy, to confirm household composition and/or to review housing issues or concerns.

The housing director shall provide a 5 day advance written notice to the occupant requesting a meeting at a mutually agreeable date, time and location. The notice shall confirm the reason for the meeting.

The occupant may request a meeting with the housing director at any time to discuss the roles and responsibilities of the housing director and the occupant, to review the occupancy agreement and the housing policy, and/or to review housing issues or concerns.

Occupancy Requirements

Based on the information provided in the occupancy housing application and confirmed by the housing director, the following guidelines shall determine the unit type (number of bedrooms) an applicant is eligible for based on the National Occupancy Guidelines definition of suitable housing which means housing that has enough bedrooms for the size and makeup of the occupant's household. Paqtnkek shall address existing overcrowding issues as budgets permit.

Authorized Occupants

Only occupants listed in the occupancy agreement signed by the occupant and the housing director are authorized to occupy the unit.

The occupant shall provide verification of household composition (number of persons occupying the unit) as requested, to the housing director.

Where the occupant wishes to have an additional occupant who is not listed in the occupancy agreement live permanently in the unit they shall make a written request to the housing director. The request shall provide detail on the additional person including age and gender. **Submission of such a request does not guarantee approval.**

The housing director **reserves the right to refuse** the request for an additional occupant. Where the housing director does not approve the request for an additional occupant this shall be an issue for the original occupant to decide upon how they wish to deal with the living situation.

The housing director **shall not be responsible to resolve issues of this where the occupant fails to request approval** from the housing director to allow an additional occupant, or, where the housing director **has denied the request** and **the occupant permits** an unauthorized occupant to remain in the unit, this shall be a breach of the occupancy agreement and the **housing director reserves the right to terminate the agreement** and have the occupant and all occupants vacate the premises.

Social Assistance Recipients

Where the occupant is in receipt of social assistance and is eligible for the shelter component, the shelter component shall be made payable to the

housing dept. on behalf of the social assistance client on a monthly basis. Only clients on “Household” are eligible for House maintenance.

Other Housing Charges

A occupant is responsible to pay all for all utilities including heat and electricity if not covered by the Social Dept., and to pay the installation fees and monthly payments for telephone, cable, internet and any other services or any other amenity to which the occupant may subscribe or install, unless otherwise indicated in the occupancy agreement.

Matrimonial Rights

In the case of family breakdown, where both parties are Paqtnkek Mikmaw Nation band members, the ownership of the unit will be put in the name of the person retaining possession of the unit. The parent granted primary custody of the children will retain possession of the unit.

In the case of family breakdown, where one of the parties is not a Mikmaw Nation member, the ownership will remain in the name of the member. The parent granted primary custody of the children will be given the right to occupy the unit. The Paqtnkek Mikmaw Nation is not liable for any investment made by the person who does not retain ownership. In other words, compensation for such investment is to be settled between the parties.

Abandonment

Re-allocating Vacant/Abandoned Units

If a unit is vacated by the occupants for a period of one month with no agreement with the Housing Committee, the unit will be considered abandoned.

Once a unit is vacated the unit will be inspected, necessary repairs done and allocated immediately to the next band member on the priority list with an application on file for that size of unit. The Housing Committee will immediately make a decision on who will be given the rental unit, based on the criteria of allocation.

Section 4

Maintenance and Repairs

Occupant Responsibilities

Regular training for occupants can reduce housing cost. Training is mandatory as per Occupancy Agreement.

Maintenance and Repair Agreement is included in Occupancy Agreement.

The occupant is responsible for the routine maintenance, repairs and day-to-day upkeep of the unit as detailed in the Maintenance and Repair Schedule that shall be signed by the occupant and the housing director prior to occupancy of the unit.

The occupant shall be provided with a copy of the schedule. The occupant **shall not be reimbursed** for any costs related to such routine maintenance, repairs and day-to-day upkeep as included in the schedule.

The occupant is responsible to maintain the outside property including lawn, shrubbery and plants, to keep the unit and property free from garbage and debris and unsightly items, including derelict motor vehicles or other equipment.

The occupant is responsible for snow removal from walkways and driveways.

The occupant is responsible for the cost of all repairs required as a result of willful damage or neglect caused by the occupant, their guests or their pet(s).

The occupant is responsible to immediately report to the housing director any accident, break or defect in interior plumbing, heating or general.

Where an occupant is requesting maintenance or repairs, the occupant must complete a Maintenance request form and shall submit the form to the housing director.

The occupant is not permitted to alter or cause to be altered the locking system on any unit entry door.

The occupant **may not remove** from the unit any fixtures, sinks, bathtubs, or appliances.

The occupant **shall not** make or authorize any alterations or additions to the building or property unless they have prior written consent from the housing director to do so.

Any alterations, additions or improvements made by the occupant without prior approval from the housing director are subject to removal at the cost of the occupant, or, such improvements are owned by the band without any compensation to the occupant. The housing director is not responsible for repairs related to any such alterations, additions or improvements. Example would be a very bold (dark) paint color, tenants are responsible to return the walls to original color when vacating a unit, at no cost to the band.

The band shall **not hire** the services of the occupant to perform any alterations, renovations, or additions to the unit occupied by the occupant.

Band Responsibilities

The housing director and the Housing Committee shall review with the occupant the roles and responsibilities for maintenance and repairs as outlined in the occupancy agreement.

The housing director is responsible to carry out maintenance and repairs to components of the unit including building structure and Major systems including heating, electrical and interior plumbing where either:

- a) The maintenance or repair is required on a component that is original to the home at the time of occupancy; or
- b) The component has reached the end of its serviceable life; or
- c) The maintenance or repair is confirmed to be related to normal wear and tear.

All maintenance and repair work overseen or carried out by the housing director shall meet or exceed the requirements of the National Building Code, band by-laws specifying building or other standards, and any other by laws, codes and regulation applicable to the project.

All repair work shall be inspected by the housing director or by the agency having jurisdiction.

The housing director shall keep a record of all repairs carried out on a unit including, reason for the repairs, and the date of the repair work, repair items and costs.

The housing department shall not repair or replace any damaged item where the damage is determined to be a result of willful damage or neglect on the part of the occupant, their guests, or their pets except where the housing director has agreed to carry out repairs as part of an agreement with the occupant to resolve occupant damage as described within this policy.

With the exception of repairs of an emergency nature or to respond to health and safety issues, or repairs required to address occupant health (as supported by a letter from a certified health professional), repairs shall be made only for an occupant whose account is not in arrears.

Paqtnkek Repair Policy Guidelines

Code Compliance

All work must at least conform to the National Building Code and all applicable codes under the National Code for all required specifications.

All work done on sewage disposals and water supplies will be required to be installed and repaired to Federal Guidelines by Health Canada.

Inspection Requirements

All inspections are to be conducted by a designated Inspector.

New construction will be required to have a minimum of six inspections to include plans evaluation, site, footing/foundation, framing, insulation/vapour barrier, and final.

Plans will require all of the following to be included; drawing and specification on foundation, floor plan, elevations, building and wall sections, truss & roof layout, window and door schedules, and a list of all materials to be used.

A site plan approved by an inspector will also be a requirement for the band files prior to construction.

Various inspections are required to be done to determine the work that has been completed for progress payment or corrections from previous inspections that indicated major infractions.

Repairs will require inspections to determine what repairs are needed. The report will indicate those items that are needed to meet health, safety, structural and fire safety requirements. Then other repairs that are not needed to meet these requirements but should be done to extend life of the existing unit and prevent the need of major repairs.

Various methods should be recommended to ensure more energy efficiency is achieved, to improve building techniques and to ensure that additional standards are followed that may be required due to problem areas that are faced in Paqtnkek Mikmaw Nation community.

The housing units would be considered high priority when repairs are a fire and safety hazard and other structural deficiencies, ie; flooring systems as indicated by an inspection report. Subject to funding availability.

Maintenance/Repairs

The Occupant is responsible for all maintenance and repairs that are caused by occupants and guests.

Occupants will not qualify for assistance from the Housing Department for a period of 5 years after receiving a new home or new to them home unless the repairs are structural.

CMHC RRAP grants will be accessed by the band for those units that qualify under CMHC's guidelines.

The Paqtnkek Mikmaw Nation will cover necessary repairs to items that are not covered by RRAP but qualify under the Repair Policy thru RRAP.

New Construction Inspection

Plan Review	%	Actual %
Excavation, Foundation	9	_____
Damp proof, Drain, Backfill	2	_____
Frame, Sheathing, Roof	20	_____
Doors & Windows	6	_____
Rough Electrical	4	_____

Rough Plumbing	3	_____
Insulation, Air-Vapour Barrier	5	_____
Basement Floor	2	_____
Exterior Finish	12	_____
Interior Wall/Ceiling Finish	9	_____
Heat Equipment	3	_____
Complete Electrical	1	_____
Complete Plumbing	4	_____
Kitchen Cabinets, Vanity	6	_____
Finish Carpentry	5	_____
Interior Painting	2	_____
Flooring	4	_____
Site Works, Improvements	3	_____
TOTAL PERCENTAGE COMPLETE	100	_____

Purchase Of Materials And Contract Management

The Housing Manager shall ensure that the best possible prices are obtained for building materials used in Housing construction or renovations. All contracting over \$100,000.00 will follow the tendering policy. (exception for new housing construction)

Disposal Of Dilapidated Buildings

Residential buildings that are no longer fit for habitation must be demolished or dismantled as soon as possible after it is vacated. Non residential buildings, which because of their physical condition, constitute threats to the Health and Safety of community members, or detract from the community, shall likewise be demolished or dismantled within 30 days of notice being given to the owner.

Environmental Protection

All Plans for construction, renovation or waste disposal installation must be reviewed by the appropriate technical personnel to ensure there is no threat to the environment, and that activity complies with the applicable legislation.

The environmental protection of all units may be a joint effort. The contract to supply various goods ex. Fuel oil is a great concern and the supplier of this fuel has to have some responsibility of checking the oil tank and condition of the lines and expiration dates of tanks they are servicing.

There should be semi-annual checks on the condition of all oil tanks and the condition of the lines. And a report should be submitted to the housing committee.

Housing Preparation for wakes

Necessary housing repairs and/or replacements shall be conducted upon review and approval of needs by the Housing Director

Emergency Housing

Paqtnekek currently does not have “Emergency Housing” units. The band

has identified that this is an issue and is working towards a resolution. These units would be provided to people who need to be accommodated urgently such as victims of house fires, etc. This may be considered temporary housing. This shall be dealt with case by case.

Eviction Policy

As per occupancy agreement

Eviction Notice

The Paqtnkek Mikmaw Nation Band Council may serve an “Eviction Notice” to the occupant or Primary Occupant(s). This notice shall provide, at minimum, thirty (30) days’ notice unless the Chief and Council determine that immediate eviction is required to protect the public order and safety of the Housing Committee, Board or Authority; or to protect the house from serious damage or destruction.

Just Cause for Eviction

For the purposes of determining evictions, the following will be deemed to represent “just cause” for the “Eviction Notice”:

Regular and serious damage to or abuse of the house;

Regular and serious vandalism and mischief by a housing occupant;

Repeated abandonment of the house;

Repeated cases within the dwelling of unlawful activity or other activities, which interfere with the peace and quiet of occupants of neighboring housing units.

Vandalism caused by the occupant, guests or other party not within the household will be the financial responsibility of the occupant. The Paqtnkek Housing Department retains the right to recover the cost of any

willful damage as stated above by whatever means necessary.

Persons occupying a house without the written consent of the Band Council may be requested to vacate the premises immediately.

The Housing Committee shall recommend re assigning any unit, which is vacant for a period of time and deemed, abandoned by the housing committee. The process of reassigning the unit will follow the housing application procedure.

****Community Comments and Feedback on this Policy are welcomed at any time. We are hoping that Everyone will be involved in future talks regarding housing and share your feedback with us.****

