INTERIM REPORT OF THE HUU-AY-AHT FIRST NATIONS INDEPENDENT HOUSING PANEL

Homes for Our Citizens











June 17, 2019

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A Special Thank You

The Panel wishes to acknowledge the tireless effort of An Minh Vu, our project manager and the important help she received from Leonard Nookemis and Andrea Lucas.

We also wish to acknowledge citizens and community members who have devoted their time to participating in the Huu-ay-aht Independent Housing Panel's work. Your valuable input and insights have helped us develop recommendations to make the return home of children and families a reality. We encourage you to read this Interim Report and look forward to your continuing input and feedback.

ƛ'eko ƛ'eko (Thank you)

1 Executive Summary

The re-establishment of a strong, permanent Huu-ay-aht community in the Ḥahuuƚi (Huu-ay-aht traditional territory) is central to the achievement of the Huu-ay-aht vision:

> *"...a strong, self-governing and self-reliant Nation. ʔiisaak (respect), ʔuuʔaƚuk (taking care of) and Hišuk ma c̓awak (everything is one) guide us as we work together to foster a safe, healthy and sustainable Nation where our culture, language, spirituality, and economy flourish."*

Bringing Huu-ay-aht children and families home to the Ḥahuuƚi and all that involves will make a profound and lasting contribution to erasing the legacy of colonization, Indian residential schools, and governments' long-standing racist and assimilation policies. A vital step in achieving this vision is establishing homes for Huu-ay-aht Citizens.

Affordable, quality housing is a fundamental human right that requires resources - both financial and non-financial – as well as a supportive framework of law and policies to achieve.

Until recently, provincial and federal governments ignored and attempted to expunge this human right, leaving Huu-ay-aht and other Indigenous communities across Canada to fend for themselves in an environment constrained by inadequate resources and overt government policies of discrimination.

The adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) by Canada and British Columbia has now prompted a strong commitment to reconciliation. First Nations are able to see a path forward to the fulfillment of the fundamental human right to housing. Canada and BC's commitment and participation is vital as First Nations, including Huu-ay-aht, which despite being a modern self-governing treaty nation, does not have the financial and other resources to fill the enormous gap arising from past neglect and the current spiraling cost of housing.

In 2017, Huu-ay-aht took the first step on this journey when it established an independent social services panel to make recommendations that would bring Huu-ay-aht children home. With the full support of Canada and BC, the panel's 30 recommendations are being implemented and Huu-ay-aht children are becoming safer, healthier and more connected to Huu-ay-aht culture every day.

Now, Huu-ay-aht First Nations has turned its attention to bringing families home by establishing this Panel to develop recommendations *"to ensure that our home (Ḥahuuƚi) will be a safe, healthy, appealing place with a strong economy where half our people choose to live."*

This Interim Housing Report describes the mandate and work of the Panel since its inception in January 2019. It also sets out the information gathered and the focus of the Panel for the development of its ultimate recommendations on housing. The work to date includes:

- developing a set of principles to guide its work,
- learning about the history of Huu-ay-aht housing,
- conducting community engagement with Citizens,
- surveying Citizens to learn more about housing needs and barriers to moving home,
- reviewing research and information on First Nations housing best practices and efforts to encourage and support Citizens to move home,
- conducting research on land and housing costs, and
- considering Huu-ay-aht housing through the lens of Panel member expertise.

The most important guiding principle for the Panel is to ensure its work and its recommendations take into account the wisdom, knowledge, needs and interests of Huu-ay-aht Citizens. Accordingly, the Panel has placed major emphasis on community and citizen engagement.

This interim report provides Huu-ay-aht Citizens and the Huu-ay-aht

government with a snapshot of what the Panel has learned and sets out 17 interim recommendations for consideration of the Huu-ay-aht government.

PANEL INTERIM REPORT RECOMMENDATIONS

1. *Huu-ay-aht should explore funding and resourcing opportunities with the BC government and School District No. 70 to review and update the education curriculum for Huu-ay-aht and non-Huu-ay-aht children in Anacla and Port Alberni to ensure it thoroughly covers the history of Huu-ay-aht including the history of housing on the Ḥahuuƚi.*
2. *Huu-ay-aht should take the necessary steps to meet in person with as many Citizens as possible and at least half of the estimated 608 Citizens over 15 years of age by September 15th 2019 to obtain feedback on the Top 15 Citizen Recommendations, as well as the full Interim Housing Panel Report and recommendations. Sample questions for those meetings are set out at Appendix C.*
3. *Huu-ay-aht should consider applying for funding to support community and Citizen engagement on the Interim Housing Panel Report and recommendations. An example of a funding program is set out at Appendix D.*
4. *Huu-ay-aht should provide the provincial and federal governments and their agencies with a copy of the Interim Housing Panel Report and invite them to provide feedback to the Huu-ay-aht government and the Panel by September 15, 2019.*
5. *Huu-ay-aht should work with leaseholders in Anacla to conduct a detailed building condition assessment, identify available funding programs for any repairs and maintenance upgrades required to make houses sustainable, assess potential ways to partner with leaseholders who are interested in the development of rental secondary suites, and develop an implementation game plan. This work should be completed by December 31st, 2019.*
6. *Huu-ay-aht should canvas Citizens during the recommended Summer 2019 engagement process to determine in more detail the size, type, and cost of housing they would require if they moved permanently to the Ḥahuuƚi.*
7. *Huu-ay-aht should consider making high speed internet access to Anacla a strategic priority for 2019 and pursue available funding programs and possible funding partners, such as in the area of health.*
8. *Huu-ay-aht should canvas Citizens during the engagement process set out in Recommendation #2 to confirm whether Citizens agree that the top priority infrastructure upgrades to encourage families to stay or relocated to the Ḥahuuƚi are upgrade the Port Alberni-Bamfield road, construct a new multi-room, multi-purpose community centre, improve internet connectivity, and conduct transportation study within the Anacla-Bamfield area.*
9. *Huu-ay-aht should explore Huu-ay-aht own source, federal, provincial, and other capital and operating funding sources to complete studies and make the following physical infrastructure upgrades by no later than March 2022:*

Short Term Projects	Cost Allowance
Upgrade the Port Alberni – Bamfield Road	25.3 Million
Construct a Multi-Room, Multi-Purpose Community Centre	$ 2.0 Million
Improve Internet Connectivity	$5.0 Million
Transportation Study within Anacla – Bamfield Area	$ .05 Million
TOTAL	$32.35 Million

10. *Huu-ay-aht should monitor the need for additional infrastructure investments to support the return of Citizens to the Ḥahuuƚi including a pool facility, upgrades to water treatment, sewer treatment, transportation improvements including a bridge link between Lower and Upper Anacla, and expansion of the multi-purpose community centre.*
11. *Huu-ay-aht should canvas Citizens during the recommended summer 2019 engagement to confirm that the Panel has identified the main social infrastructure barriers to relocation of families to the Ḥahuuƚi. As well, Huu-ay-aht should assess whether or not the operating costs associated with closing these social infrastructure gaps are factored into pending Fiscal Financing Agreement negotiations with Canada and BC.*
12. *Huu-ay-aht should immediately establish a full-time housing navigator position to provide comprehensive help and assistance to Huu-ay-aht Citizens on all aspects of housing.*
13. *Huu-ay-aht should maintain Huu-ay-aht legislation which already provides for an Independent Housing Authority. Huu-ay-aht should canvas Citizens during the recommended Summer 2019 engagement process to identify any questions or concerns or recommendations Citizens have regarding the early establishment of an Independent Huu-ay-aht Housing Authority, including establishment of a Huu-ay-aht Citizen advisory body to the Independent Housing Authority.*
14. *Huu-ay-aht should focus the efforts of the proposed comprehensive community planning (CCP) process on specific community needs which arose from the results of this Independent Housing Panel work, particularly in the area of programming and operations for the various recreation, physical and social infrastructure proposed in this Panel report.*
15. *Huu-ay-aht should begin locating the internal and external resources and determining the best division of labour between them to cost-efficiently design, develop and implement an effective, comprehensive housing, infrastructure, and capacity funding application strategy and plan which reflects the emerging priorities of the Huu-ay-aht government and the most current information on funding sources.*
16. *Huu-ay-aht should begin locating the internal and external resources and determining the best division of labour between them to cost-efficiently design,*

develop and implement an effective, comprehensive training and mentoring application strategy and plan which reflects the emerging priorities of the Huu-ay-aht government and the most current information on funding sources.

17. *Huu-ay-aht should continue to use this modular housing pilot project as a helpful opportunity to collaborate and share information with the Panel and M'akola in order to explore best practices with respect to housing development, operations and management on Treaty Lands.*

We are hopeful that the Huu-ay-aht government and Citizens will review this Interim Report and provide us with their feedback on our interim findings as we research and prepare our Final Report and recommendations.

Our order of magnitude estimate of the capital cost of housing and related physical infrastructure to bring families home is approximately $79 million. More work is needed to refine this capital cost estimate, and, it must be noted that the capital cost estimate does not include related operating and programming costs.

While $79 million is a large amount, with a combined effort, led by the Huu-ay-aht government, and supported by the contributions of Huu-ay-aht Citizens, Canada, British Columbia and their agencies, the Panel is confident we can fund this work and bring families home. It will take all of us pulling hard and pulling together in the same direction. Accordingly, we are hopeful that the federal and provincial governments and their agencies will review this interim report and provide us with feedback on how they can best support Huu-ay-aht.

Reconciliation with Huu-ay-aht in the area of housing begins today.

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June 17th, 2019

Introduction and Panel Mandate 2

INTRODUCTION

Huu-ay-aht First Nations (Huu-ay-aht) is a self-governing Nation, with a modern Treaty, Constitution, and extensive suite of laws. One of the five key posts of the Huu-ay-aht Strategic Plan (2018-2020) is:

> *"By 2033 our home (Ḥahuułi) will be a safe, healthy, appealing place where half our people choose to live."*

PANEL MANDATE

The Huu-ay-aht Executive Council established the following mandate for the work of the Huu-ay-aht Independent Housing Panel ("the Panel"):

> *Review Huu-ay-aht land use, housing, and related policies, legislation and programs and recommend practical changes to ensure that our home (Ḥahuułi) will be a safe, healthy, appealing place with a strong economy where half our people choose to live.*
>
> *Review Huu-ay-aht housing programs and related services and recommend practical changes to ensure that all Huu-ay-aht Citizens have an equal opportunity to access quality, affordable housing within the Ḥahuułi, while at the same time fostering Citizen independence, self-sufficiency and self-reliance.*

Detail the financial and non-financial resources required to implement the Panel's recommendations, including contributions by British Columbia and Canada.

- *Ensure all of the Panel's work and recommendations are guided by Huu-ay-aht's three sacred principles -*
- *Hišuk ma c'awak (everything is one),*
- *ʔuuʔałuk (taking care of future generations), and*
- *ʔiisaak (conducting ourselves honestly and respectfully).*
- *Set a goal of achieving the best housing outcomes in Canada when compared to other Indigenous and Non-Indigenous governments."*

GUIDING PRINCIPLES FOR THE PANEL'S WORK

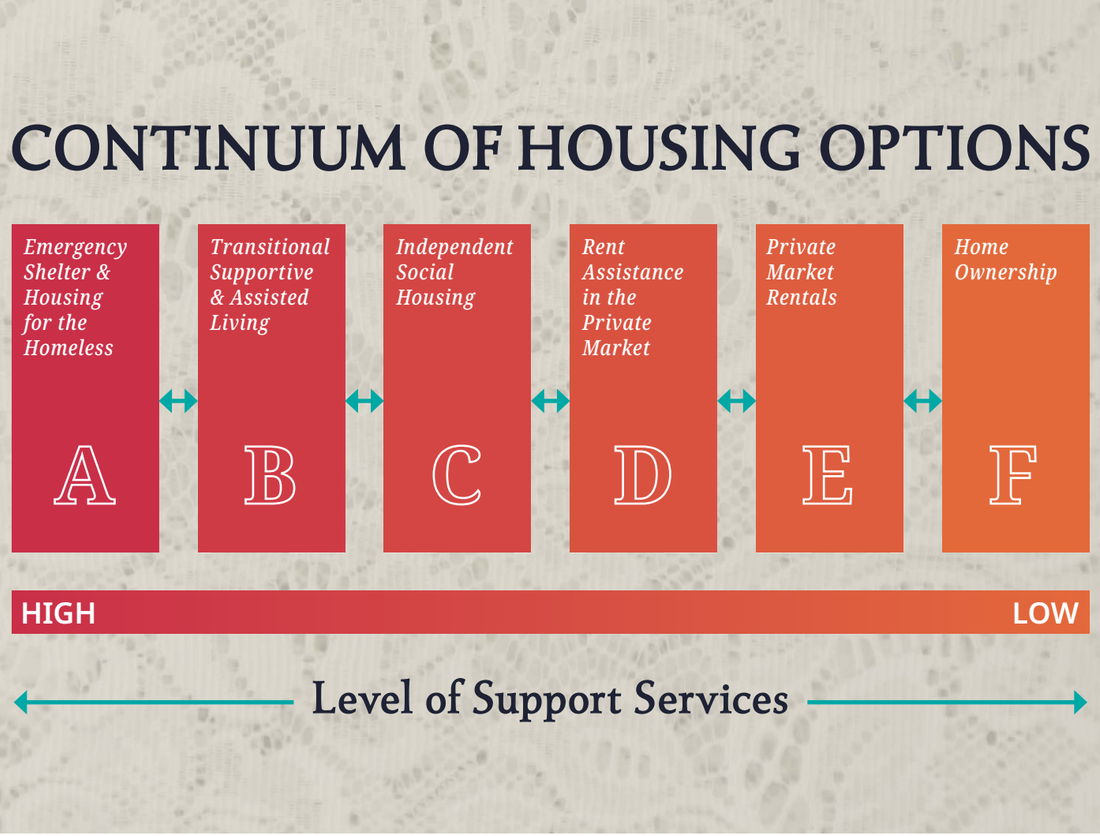
Early in its work, the Panel concluded that quality, affordable housing for Huu-ay-aht Citizens forms the foundation not only for the return of Huu-ay-aht Citizens to the Ḥahuuƚi but for the achievement of Huu-ay-aht's strategic vision:

"Huu-ay-aht envisions a strong, self-governing and self-reliant Nation. ʔiisaak , ʔuuʔałuk and Hišuk ma c̓awak guide us as we work together to foster a safe, healthy and sustainable Nation where our culture, language, spirituality, and economy flourish."

The Panel's community engagement and review of Huu-ay-aht self-governance law, as well as the policy and legislation related to Housing, informed the Panel's discussion of establishing guiding principles for its work. These overarching principles are set out below. The Panel welcomes Citizen feedback on these guiding principles in advance of preparing its final report.

1. Citizen engagement is a priority for the Housing Panel.
2. The Panel's work is guided by the three sacred principles.
3. Hišuk ma c'awak (everything is one),
4. ʔuuʔałuk (taking care of future generations), and
5. ʔiisaak (conducting ourselves honestly and respectfully).
6. Housing and other initiatives are mutually supportive and connected (Hišuk ma c'awak).
7. More housing in the Ḥahuuƚi will support other economy, culture & spirituality, education, physical infrastructure, environment, recreation infrastructure, social infrastructure, and health and wellness of the Huu-ay-aht.
8. Economy, culture & spirituality, education, physical infrastructure, environment, recreation infrastructure, social infrastructure, and health and wellness initiatives in the Ḥahuuƚi will support more housing in the community
9. Affordable, good quality housing is the core of a strong community.
10. The development of affordable, good quality housing is a shared responsibility of the Huu-ay-aht government, Huu-ay-aht Citizens, Canada, British Columbia and their agencies.





Source: BC Housing

11. Huu-ay-aht treaty land is available for Citizen housing in the Ḥahuuƚi.

12. Huu-ay-aht wishes to support Citizens to take responsibility for constructing and maintaining their homes on the land being made available.

13. Huu-ay-aht recognizes that some Citizens may not be able or expected to take on responsibility for constructing and maintaining their own homes, generally or due to age and/or health challenges. The Nation wishes to provide additional assistance in these situations.

14. Improved road access from Port Alberni to the Ḥahuuƚi, particularly to the Anacla / Bamfield area, will support Huu-ay-aht in achieving many important goals regarding housing as well as other connected elements (Hišuk ma c'awak) such as economy, education, and health and wellness.

15. A range of housing types, ownership options and locations should be made available to accommodate the differing needs and interests of Huu-ay-aht Citizens. With respect to type, the building form most in demand is expected to be single detached homes accommodating families of varying size (including parent(s), children, grandparents and other extended family members). There is also anticipated demand for attached housing units such as townhomes and other side-by-side complexes comprising varying numbers of units (such as a six-plex).

16. With respect to ownership options, many Citizens will be interested in ownership while others will prefer access to rental housing.

17. With respect to location, most Citizens living in the Ḥahuuƚi (including those returning) will likely be accommodated in Anacla. Land parcels will be made available to Citizens who wish to construct a home in other parts of the Ḥahuuƚi. It will be Huu-ay-aht Citizens who decide whether Huu-ay-aht communities will be re-established in other parts of the Ḥahuuƚi and how services will be provided, e.g., owner drilled well or government built water system.

18. A continuum of housing options will be identified and established based on Citizen need ranging from emergency shelters and transition homes to social rent subsidized housing, affordable yet unsubsidized rental housing, to market rental housing, to full home ownership. This continuum is illustrated to the left.

19. It is recognized that Huu-ay-aht Citizens who wish to construct a home in the Ḥahuuƚi may face challenges in accessing mortgage financing. Huu-ay-aht is committed to exploring how those challenges can be overcome.

20. Physical integration of the Anacla community – lower and upper Anacla – is vitally important to fostering one community.

21. The intent of creating housing for Huu-ay-aht Citizens in Anacla is that they be occupied by the Nation's Citizens on a full-time basis and in so doing contribute to a permanent Huu-ay-aht community in the Ḥahuuƚi.

22. It is acknowledged that there will be housing demand from non-Huu-ay-aht Citizens for housing in the Ḥahuuƚi, including areas such as Anacla, Bamfield and Sarita. Huu-ay-aht will consider how the development of such housing could benefit the Huu-ay-aht community and Huu-ay-aht Citizens. For example, revenues from market priced housing for non-Huu-ay-aht could help cross subsidize the cost of building serviced lots, rental housing and community facilities for Huu-ay-aht Citizens.

23. Based on previous community engagement and research, the Huu-ay-aht government has already established a policy and

legal framework for housing which is a good starting point for the Panel's work.

24. Homes in the Ḥahuuƚi must be designed to celebrate the ancient spirit, teachings and rich culture of the Huu-ay-aht people, while taking into consideration lessons offered by the modern mind.

25. The Panel fully respects Huu-ay-aht's self-governing jurisdiction and the legal framework created by the Treaty and will make recommendations within that framework to advance housing as a basic human right.

26. The Huu-ay-aht government, Huu-ay-aht Citizens, Canada and British Columbia and their agencies have a shared responsibility to contribute to upholding the fundamental human right of all Huu-ay-aht Citizens to quality, affordable housing.

RESEARCH METHODOLOGY

To date, the Panel has approached its work by:

- developing a set of principles to guide its work,
- learning about the history of Huu-ay-aht housing,
- conducting community engagement with Citizens,
- surveying Citizens to learn more about housing needs and barriers to moving home,
- reviewing research and information on First Nations housing best practices and efforts to encourage and support Citizens to move home,
- conducting research on land and housing costs, and
- considering Huu-ay-aht housing through the lens of Panel member expertise.

In the balance of this interim report, we outline our interim findings and recommendations. We welcome feedback from Citizens on these interim findings and recommendations.

3 History of Huu-ay-aht Housing in the Ḥahuuƚi

Housing is foundational to families and to communities. In fact, it is an international human right.

The United Nations International Covenant on Economic, Social and Cultural Rights adopted in 1966 with 169 countries as Parties[1], enshrines the right to housing:

> *"The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent." (Article 11 (1))*

1. https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-3&chapter=4&clang=_en

The Ontario Human Rights Commission states[2]:

> *"Adequate housing is essential to one's sense of dignity, safety, inclusion and ability to contribute to the fabric of our neighbourhoods and societies."*

Canada Without Poverty notes[3]:

> *"The right to adequate housing, along with many other economic and social rights, is protected in the International Covenant on Economic, Social and Cultural Rights, specifically Article 11 which details the right to an adequate standard of living and the continuous improvement of living conditions. The same rights are articulated in Article 25 (1) of the non-legally binding Universal Declaration of Human Rights."*

> *"There are many other examples of the right to adequate housing in other international treaties, such as the Convention on the Rights of the Child (Article 16 and 27), the Convention on the Rights of Persons with Disabilities (Article 9 and 28), the Convention on the Elimination of All Forms of Discrimination against Women (Article 14 and 15), among others."*

Several provisions in the omnibus United Nations Declaration on the Rights of Indigenous Peoples (adopted by Canada and British Columbia) reinforce the importance of indigenous housing and the contribution expected by Canada and British Columbia:

2. http://www.ohrc.on.ca/en/right-home-report-consultation-human-rights-and-rental-housing-ontario/housing-human-right
3. http://www.cwp-csp.ca/poverty/a-human-rights-violation/the-right-to-housing/

Article 21

Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, ***housing***, sanitation, health and social security.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, ***housing*** and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

It is against this backdrop that the Panel interviewed Emchayiik, Chief Councillor Robert Dennis Sr., to learn about the history of housing in the Ḥahuuḥi.

Robert Dennis Sr. recounts the fundamental shift in families, community and housing that occurred with colonization, residential schools and efforts to "remove the Indian from the child". The Huu-ay-aht are a marine people and traditionally Huu-ay-aht homes were often designed to be mobile and made of cedar. Before European colonization and resource exploitation, Huu-ay-aht had full access to all the resources needed to sustain families and moved freely around the Ḥahuuḥi to access fishery, forestry and other resources. Families often had a number of homes in a number of locations close to resources.

The impact of colonization saw the Indian removed from the fishing industry and more and more limitations on the use of forestry and other resources on the Ḥahuuḥi. The federal government took steps to alienate lands for parks, forestry and other uses. The survival of Huu-ay-aht and protection of Huu-ay-aht reserves depended on concentrating the Huu-ay-aht community in one location, Indian Reserve No. 12 (IR 12). This would block the federal government from effectively making Indian IR 12 part of the Pacific Rim National Park near the trailhead for the West Coast Trail.

Now with Treaty Lands and self-government, Huu-ay-aht have the tools to take advantage of the current economic situation, restore access to resources including forestry and fishery, and in so doing bring Huu-ay-aht children and families home to the Ḥahuuƚi, including Anacla.

We set out edited excerpts from the Robert Dennis Sr. interview below. The interview was conducted by An Minh Vu. Read a full transcript of the interview at Appendix A.

In the words of Emchayiik, Chief Councillor Robert Dennis Sr.

ROBERT: ...we lived all over the territory, first of all, because we're marine people, ... we're always after, the salmon, the seal, different sea mammals, like mink and all that.

ROBERT: So there was a reason that we were scattered ... all over. My grandfather, said that ... he had three places of his own, where he had three houses. In other words, ...he had one here at, ʔaʔiƛsuwis village. And then he had one in Bamfield Inlet where the current church or the old community hall, the United Church. And then of course at reserve No. 9. He said, "I was rich, I had three homes." Yeah, then when he went up to Nuumaqamis, his father had a house there. That was our normal thing. Our houses depended on where we're going for our food. Yeah, so in the summer time we're out here (points to Čapʔis on map), it's where all the salmons is, here. And then fall and winter come, the salmon, they migrate up the rivers, we migrate with the fish. By the way, all these houses were built by our own people. They built their own houses.

AN: So what you're telling me, is people used to live everywhere. And then during your childhood, where were the main communities?

ROBERT: The main ones were .... Dodgers Cove, reserve No. 9, Grappler, Nuumaqamis and Kuḥswiis. Yeah, those were the main ones. There was a family living out at Anacla. Alec Williams, said they lived out here until the early 19 hundreds. So those are the ones that I'm aware of.

AN: How long did you live there for?

ROBERT: Well I don't know that was only when I was out of school. I want to get to - the reason for it, it was federal policy. And when you read Canadian history, you, you pick up letters from political leaders of the day, writing that we got to take the Indian out of the child,... we gotta establish residential schools. You've removed them from their own lands so that are no longer practicing their customs.

ROBERT: And, to make it work they said, any person who violates that, we'll send them to jail. So in other words, if my father didn't send me to school and they found out about it, he would go to jail for breaking the law. The law that was established at that time was that we're going to send all Indian kids to residential school so we can take the Indian out of the child. And also remove them from using their land and their resources.

ROBERT: If they can't continue their own practices, then they can't learn it, and that was the objective of the federal government. It's a sad history, and when you find all the documents with what these people did and to what extreme they went, it was a racist legislation at its worst. And, to me, that's why, in my younger days especially, I had a lot of hostility, anger towards white people because as I was concerned, they were the ones that did this to me. They were the ones that removed me from my family. They were the ones that said you can't speak your language anymore. They were the ones that said, you know, you can't fish in areas that you normally used to fish. So they introduced laws that, like say for example, we always fished in the river, so they introduced laws, that said it was illegal to fish in the rivers and then they would draw lines and then like at Sarita Bay, you're not allowed to fish inside the line, if you do, you're breaking the law. But our people always fished inside those lines.

ROBERT: See that's what I mean by any federal policy, they were doing everything to prevent us from using our resources. And part of our resources was entering the forest to get the wood that we needed for our housing. And if you look at some of them, old housing, I mean there were so portable. Alec Williams talked about how they would construct these, with floors and post, but the exterior wall can be removed and used at another place, that exact same foundation or, housing posts. So they would just take the boards, you'd have two big canoes, put the boards across and paddle to wherever their summer village was and put up their house... When you see the wood that they use, it was cedar, it was big thick cedar boards, and today's standards if you had to pay for that same board... but then, it costs you zero because it was your right to go get the wood... and now, today you have to buy, to build a house.

ROBERT: So that's the huge difference. Huge difference was that our people... before could just use the natural resources in our land and build their housing and use whatever they want. For example, mattresses were made out of cedar bark and when you would need to know how to treat cedar bark, you can actually make a really soft mat. Yeah, it's quite a talent, they used to have the tools to, soften the cedar by pounding it. And then of course, bear skin was used for your mattress or for your cover.

ROBERT: It was all there. I mean, we had access to all the resources in our territory to live off of, but ...as you know the federal policy was that they wanted these resources for themselves so that the settlers can benefit economically, but in order to do that, they had to remove us from the land. And so that was the whole concept of colonization. It had a severe impact on a lot of us, myself included.

ROBERT: But I live the life, that I decided I wasn't gonna let it beat me. I was determined as a young man the very first time I defied a priest and residential school, and I said, I don't want to go to church. I don't know what you're doing. I've never been taught that. I don't know what it is, and I remember I got grounded for three months and they said we'll unground you when you're ready to go to church.

ROBERT: Well, then three months ended when summer came and then I went home. But that's just how I was, I wasn't defiant. I was respecting my spirituality, my culture - but they called it being defiant. But I'm not defiant, you're disrespecting me. I have a culture, I have a religion, why aren't you honoring and respecting that? So that was how I grew up in my life because I knew when they sent me to residential school, it wasn't my life, first of all, it wasn't family. I mean that's the core principle of any society.

ROBERT: I could never understand why the system allowed us to be removed from our homes at such a young age. I could never understand what was being said, for two years, I didn't know what the teacher was saying. And I had to have interpreters beside me to interpret what was being said. I couldn't understand, I was counting, I was counting in my language, but I wasn't counting in English, so I got in trouble. In today's society, if you can count in two languages and you're considered a smart person, right? But back then you're considered a student that's defying the regulations.

AN: So how old were you when you were taken away?

ROBERT: Six, yeah. I went to Port Alberni in 1953 until 1966.

AN: And then you came back?

ROBERT: Yeah. Then we moved into an era where, I remember my dad talking about how we can't get the timber from our lands ourselves anymore. We started getting money for timber removed from our reserves. So as a nation, we had money in Ottawa, that was rightly ours and that we could draw on it. So what they used to do was called distribution. So let's say, they give $1,000 distribution and then we use that to build our house, buy the material to build our house. I remember my dad at Kuḥswiis built that house with the distribution funds that he got. And the same thing with the boat, he used that distribution money to build his boat so that he could go fishing so that he could provide for his family.

AN: Can you speak to how most people live in lower Anacla and how that's shifted and when that happened?

ROBERT: That shift happened in the late 1960's, the first house went up there in 1969. So anywhere from 1967, 1968, the government of Canada, and I remember Bruce Scott, the prominent citizen in Bamfield, was lobbying for the establishment of the Pacific Rim National Park. And he lobbied successfully along with him and other people in the area, and they got the park established, but they had a motive. There motive was that some of their land was within the proposed park area. So their motive was to make a real estate deal.

ROBERT: So Canada would have to negotiate with all those landholders and buy them out. That was the sole purpose of establishing a park, protect it forever, but all these guys pushing for it all had private property within that proposed area. Of course their motive was to make money. And back then, you know, if you could make five, $10,000, you were making good money.

ROBERT: and then when they established the park, IR 12 as it was known then, the proposed park took that in as protected park land.

ROBERT: And the chief at that time, Arthur Peters, he said no, we don't want that to be part of the park, that's where our people live. And the government of Canada at that time for Indians was introducing a policy that, if you're developing your land for housing that it had to only be one area, and then as I told you, we were scattered, people living here, people living here. People live in here, here, here.

ROBERT: And so if we say we want to install water in each of these places, the Department of Indian Affairs was saying, no, we can only develop one place, that was the policy. So the chief at that time, Arthur Peters said, well let's develop IR 12.

AN: Ahh, to block the park.
ROBERT: So once we went there, we stopped IR 12 from becoming part of the Pacific Rim park.
AN: So IR 12 is what we call Lower Anacla now?
ROBERT: Ya, so this is all part of IR 12.

The Panel believes it is very important for all of us to acknowledge this history of federal government interference and attempts to assimilate and marginalize the Huu-ay-aht. Through the work of this Panel, grounded in community input, we now have an opportunity to undo this shameful federal government legacy and enable Huu-ay-aht families and Citizens to move home and live in sustainable communities in the Ḥahuuḥi.

We must ensure no one is subjected to this type of treatment again and the best way to do so is to ensure future generations remember the Huu-ay-aht past and learn from it. As the philosopher George Santanaya said, "Those who cannot ***remember the past*** are condemned to ***repeat it***."

#1 PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should explore funding and resourcing opportunities with the BC government and School District No. 70 to review and update the education curriculum for Huu-ay-aht and non-Huu-ay-aht children in Anacla and Port Alberni to ensure it thoroughly covers the history of Huu-ay-aht including the history of housing on the Ḥahuuḥi.

4 Engagement with Huu-ay-aht Citizens

Huu-ay-aht Citizens know best what housing and related services they need and the barriers that must be overcome to make the Ḥahuuḥi a safe, healthy, appealing place with a strong economy where they wish to live. Many Huu-ay-aht Citizens live it every day. It is for this reason a major priority of the Panel is to hear from Citizens.

The top 15 recommendations that Citizens brought to our attention are set out below, following which we provide a detailed report on the Panel's citizen engagement activities and findings. Please refer to Appendix B for a compendium of community engagement materials.

Top 15 Citizen Recommendations

While the Panel has made every effort to accurately capture all Citizen input and identify the top Citizen recommendations, we invite any Citizen who believes we may have missed something or identifies something needing adjustment to contact the Panel. We will ensure our information is updated and considered for the Final Report.

Social Service

- More law enforcement or community policing presence on Ḥahuuƚi.

Economy

- More long-term, full-time, well-paid, meaningful employment.

Housing

- A “Housing Navigator” - a designated person to help Citizens on all things housing related. This will help promote communication and transparency with Huu-ay-aht’s housing process and policies.
- More housing options on Ḥahuuƚi for different levels of income, life stages and sizes of families. Provide a variety to types and sizes of housing, such as townhomes, tiny homes, Elders housing facility, etc.
- Different financial structures and options to support Citizens with obtaining housing affordability. Two categories:
  - *Support for investments through micro-loans, loans or grants to put towards the building and/or ownership of homes on Ḥahuuƚi.*
  - *Options for Citizens to access different housing financial scenarios, including social housing rental, affordable rental, rent-to-own and mortgage financing through the Nation.*
- Elders housing facility on Ḥahuuƚi. Suggestions for the facility included a dedicated nurse, designed for all mobility, a space for youth and children to spend time and visit the Elders, dining areas for meals to be shared with visiting family and multifunctional spaces for the community to use.

Physical Infrastructure

- Convenient, reliable, affordable and scheduled transportation options. A scheduled shuttle bus to transport Citizens between Port Alberni and Anacla, and between Lower, Upper Anacla and Bamfield.
- Upgrade the Bamfield Road for better driving conditions and access to Ḥahuuƚ.

Education

- Education to support Citizens’ in their post-Treaty housing independence. Two categories of education:
  - *Understanding basic home care and maintenance, to help Citizens plan and predict housing needs, and be able to independently repair and maintain their homes.*
  - *Promote Citizens’ financial capacity and independence for housing, including Citizens’ financially planning, budgeting and saving for current and future housing needs.*
- Kindergarten to grade 12 level education on Ḥahuuƚi.

Mental & Physical Wellness

- More healthcare services on Ḥahuuƚi, including doctors, nurses, hospitals, ambulances, dentist, physiotherapist, chiropractor, etc.
- Food security with more grocery options for healthy, fresh, affordable food on Ḥahuuƚi.
- Childcare on Ḥahuuƚi available from Monday to Friday, with potential options for Saturday and Sundays care, and longer hours to support a variety of parents’ work schedule.

Recreation

- More healthy activities for all ages on Ḥahuuƚi, including recreational and sport programs.
- More community spaces for alcohol free gathering and socializing. These areas or buildings would be comfortable, inviting and support community interactions, such as community potlucks, sporting events, cultural activities, children’s programing and youth hangouts.

#2

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should take the necessary steps to meet in person with as many Citizens as possible and at least half of the estimated 608 Citizens over 15 years of age by September 15th 2019 to obtain feedback on the Top 15 Citizen Recommendations, as well as the full Interim Housing Panel Report and recommendations. Sample questions for those meetings are set out at Appendix C.

#3

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should consider applying for funding to support community and Citizen engagement on the Interim Housing Panel Report and recommendations. An example of a funding program is set out at Appendix D.

#4

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should provide the provincial and federal governments and their agencies with a copy of the Interim Housing Panel Report and invite them to provide feedback to the Huu-ay-aht government and the Panel by September 15, 2019.

CITIZEN ENGAGEMENT ON HOUSING

Engagement occurred with Huu-ay-aht Citizens, staff and leaders. The Panel wishes to take this opportunity to thank the many individuals who gave us their time to participate in the housing study. In particular, we thank and recognize the many Huu-ay-aht Citizens and their families, who came to speak with us, taking time out of their busy schedules to sit down and share their thoughts, ideas, experiences and stories. We are very honoured by the efforts Citizens took to engage with us.

METHODOLOGY

The Panel was first introduced to Citizens at the People's Assembly in February 2019. Extensive Citizen engagement took place during the month of April 2019. Engagement by the Panel consisted of a number of opportunities to collect feedback and input from Citizens. They included community engagement sessions, a youth meeting, an Elders' meeting, cultural nights, focus groups, family home visits, individual survey interviews, Huu-ay-aht government staff interviews, postings on Huu-ay-aht First Nations' Website and Huu-ay-aht First Nations Facebook Page, Uyaqhmis newsletter and poster canvassing at Friendship Centres and Huu-ay-aht government offices. Please refer to Appendix B for more detailed information and copies of materials used in this engagement work.

At the meetings and focus groups, Citizens were asked a series of questions to help the Panel understand how Huu-ay-aht Citizens interacted with their homes and what they identified as the things that make a home safe, healthy and appealing place to live. The following is a list of sample questions used at these meetings:

- What makes a home a safe, healthy and appealing place to live?
- What does housing affordability mean to you?
- What do you see as the three main challenges to Ḥahuuḥi housing?
- What are three opportunities or solutions that could improve Ḥahuuḥi housing?
- What would it take for you to move and live in Anacla? What are your thoughts and ideas about how to bring people back home?
- What community facilities do you and your family use where you live now (ex: community hall, playground, K-12 school, health centre, etc.)? What community facilities does Anacla need?
- What are your short and long term housing needs (ex: rental, transition, low-income, pre-built, self-financed, etc.)?

- What are some housing barriers that Huu-ay-aht Citizens face? What can be done to help decrease those barriers?

Citizens could also participate by answering a Huu-ay-aht Housing Survey. The surveys included the same questions raised at meetings and focus groups, and more detailed questions to better understand the needs and concerns of different demographic groups within Huu-ay-aht. There were two surveys for Citizens to choose from: a survey for *those living at Home (Ḥahuuƚi)* and another survey for those *living away from Home (Ḥahuuƚi)*. The foundation for both surveys was the same, to understand how Huu-ay-aht Citizens interacted with their homes, and their thoughts and feelings with living at Home (Ḥahuuƚi); however the surveys where adjusted to better understand the perspectives of Ḥahuuƚi residents versus those that live away. Citizens could access hardcopies of the surveys at any in-person housing meeting/event, or Citizens could complete the surveys online. Links to the survey were shared on the Huu-ay-aht website, Facebook page and through email requests.

The Panel is very pleased with the number of people who participated in providing us their feedback, input and suggestions on housing. To date, the Panel was able to collect information from 82 Huu-ay-aht Citizens that directly participated in the Housing Study. We recognized that Huu-ay-aht Citizens live in various places on Vancouver Island and on the mainland. Therefore, of the 82 Citizens that participated, we were able to collect information from Citizens that lived at Home (Ḥahuuƚi), Port Alberni, Parksville, Nanaimo, Victoria, Vancouver and Duncan.

Table 1: Residence of Citizen Participants

Place of Residence	Number of Citizen Participants
Ḥahuuƚi	28
Port Alberni Area	36
Greater Victoria Area	3
Parksville Area	3
Nanaimo Area	5
Greater Vancouver Area	6
Duncan Area	1

We recognized that housing impacts all Citizens of different ages and life stages, and we strive to collect feedback from all age groups.

Table 2: Ages of Citizen Participants

Age Groupings	Number of Citizen Participants
Under 19	3
19 - 29	9
30 - 39	14
40 - 49	17
50 - 59	6
60 - 69 (Elders)	19
70 + (Elders)	14

Although we are very appreciative of the 82 people that provided input and feedback through meetings, focus groups and interview surveys, we recognize that there are still many Huu-ay-aht Citizens who we could still hear from. We are hopeful that the Huu-ay-aht government will be able to reach these Citizens over the summer of 2019.

WHAT WE HEARD: MAIN THEMES

The Independent Housing Panel recognized that Citizen engagement is a priority to support the understanding of challenges and opportunities that face Citizens when it comes to housing. This section identifies emerging themes that the Panel heard from Citizens regarding housing, living at Home (Ḥahuuƚi) and what Citizens needed in order to live in a place that was safe, healthy and appealing. The feedback from Citizens has been grouped and summarized into three categories: Living at Home (Ḥahuuƚi): It's Strengths; Living at Home (Ḥahuuƚi): It's Challenges; and What Makes a Safe, Healthy and Appealing Home.

LIVING AT HOME (ḤAHUUƚI): ITS STRENGTHS

When Huu-ay-aht Citizens were asked to speak to the strengths of living at Home, many Citizens, including those that lived in Anacla and those that did not, spoke about the strong sense of community, support

and openness that exists in Anacla. Living on the Ḥahuuḥi provided opportunities for Citizens to connect with family and Elders. Citizens spoke about the comfort in knowing your neighbours and the ability to go to your neighbours for assistance. Many Anacla residents shared stories about a time where they were able to turn to their neighbours for help, whether it was to find a last-minute babysitter, or to watch over their home while they were away. Citizens believed that Anacla had a stronger sense of safety, especially for children, compared to those that live in cities and other urban centres.

> *"Growing up in Anacla, you had the freedom to do whatever you want to do, you were safe there. Everyone knew who you were and who you belonged to and people greeted you with care. There was a community understanding that the neighbourhood had the collective responsibility was to watch over the children." (Vancouver Elder)*

Living at Home provided Citizens with a slower-paced lifestyle, free of pollution and the hustle and bustle of urban life. It supported an "outdoorsy" lifestyle that allowed access to the wildlife, wilderness and ocean. Citizens loved the access to recreational activities, such as camping, hiking, fishing, boating and bonfires.

> *"It take a personality type that enjoys such things as the outdoors and is adventurous that would be interested in living in Anacla." (Anacla Resident)*

Potentially the greatest strengths raised by a majority of Citizens are the cultural connections gained from living on Ḥahuuḥi. Citizens recognized a strong sense of home and spiritual connection to the land and sea. It was a place that supported physical, mental and spiritual wellness. Citizens described their experiences of living or visiting the Ḥahuuḥi as spiritually cleansing and grounding. Many Citizens spoke to the importance of having access to the Elders and knowledge holders within the Ḥahuuḥi, recognizing it as a way to stay connected to the language. The Ḥahuuḥi also provides an avenue to practice culture through the land's resources. Materials for crafts are collected from cedar trees, grass, and shells. Cultural practices also took place in fishing, hunting, harvesting, as well as preparing and consuming healthy traditional food from the land and sea.

LIVING AT HOME (ḤAHUUḤI): ITS CHALLENGES

Huu-ay-aht Citizens shared their thoughts and views on the challenges of living at Home (Ḥahuuḥi). Citizens currently living at home were asked, "What are the barriers to you staying and living at home?" For Citizens living away from home, the Panel asked, "What are the barriers keeping you from moving home?" Below are the emerging themes on the challenges of living on Ḥahuuḥi.

Housing and Housing Options

All Citizens spoke about the lack of housing and housing options for Huu-ay-aht Citizens. Citizens shared that there is an inadequate supply of homes for Citizens, and the housing that currently exists has significantly aged and is not appealing. The variety of homes is also lacking. Citizens stated that there are not enough housing options for all levels of income and phases of life, such as Elders with declining health, families with four or more children, and single, young people looking to move out of their parents' home.

Understanding Housing Policies, Processes & Plans

Citizens expressed their lack of knowledge when it came to Huu-ay-aht housing policies, processes and plans, including procedures that had to take place to live, own, rent and build in the Ḥahuuḥi. Citizens shared their questions about housing to the Panel. Below is the list of the most commonly asked questions:

- How does the Housing List work? How are the people chosen for housing and what does the process involve?
- How does a Citizen build a house in the Ḥahuuḥi? Where do they begin? How much is that land? How much money should they save? How do they get a mortgage?
- Who is responsible for maintenance of homes in the Ḥahuuḥi?
- How much will property taxes cost?
- If a Citizen already lives in the Ḥahuuḥi and wants to move to a better house in the Ḥahuuḥi, how can they do that?
- What type of housing does the Nation provide? Are there rent-to-own options?
- Can I sell my lot (lease) back to the Nation? Can I sell my home to a non-Huu-ay-aht Citizen? If so, how much is market value?
- What is the direction the Nation will take in terms of residential development and planning?

Many Citizens were unfamiliar with the Nation's goals for housing. Only

7 % of the Citizens surveyed, stated they were familiar with Huu-ay-aht's housing plans, policies, and housing options for the Ḥahuuḥi. Citizens' lack of understanding, paired with inadequate communication and transparency on housing processes can provoke fear of nepotism and favouritism, creating misguided resentment and distrust towards the Nation's government.

Employment Opportunities

Citizens shared that living in the Ḥahuuḥi was difficult due to the lack of good employment opportunities. They stated that there were not enough opportunities to have a steady income year round, that most of the work available was temporary or seasonal, at the minimum living wage, and the availability of constant full-time work was limited in the Ḥahuuḥi. Citizens expressed that all these work characteristics made it hard to live at Home and made owning a mortgage at home feel impossible. Many Citizens spoke of the importance of having interesting, meaningful work. The Ḥahuuḥi did not provide a variety of employment options. Unfortunately, Citizens felt that a lot of the work available at home were entry level, with little opportunity for growth or development. Citizens believed that for opportunities, career growth and development, Citizens had to move to Port Alberni or another city. The same sentiment was felt about having access to skilled management. Citizens explained that most management often resided in cities, therefore potentially impacting an employee's access and relationship to management, and consequently it negatively impacted their career development.

Education Opportunities

Citizens stated that barriers to education for all ages in the Ḥahuuḥi were one of the major challenges to living at Home. We heard from the earliest age, a Huu-ay-aht child is not receiving opportunities or adequate formalized education. Huu-ay-aht children living in the Ḥahuuḥi do not have access to pre-school, and once they enter the Bamfield elementary school, Citizens felt that the school was unable to provide Huu-ay-aht children with good education. Parents and families were finding that their children were not educated to the same levels as their peers in urban centres. High school is not available for children living in the Ḥahuuḥi; the Bamfield Community School only educates children up to grade 7. Families living in the Ḥahuuḥi are faced with having to board their children in Port Alberni or move from the Ḥahuuḥi. On occasion, families that cannot move to Port Alberni with their children are forced to board them in potentially unstable homes.

> *"I moved from Home because I wanted my daughter to have more opportunities with education. You don't get those same opportunities in cities at Home." (Duncan Resident)*

We heard from families, parents and youth that going from elementary to high school can be a challenging transition for any child in their teenage years, however, children from the Ḥahuuḥi are potentially faced with additional barriers, including loss of their familiar support system (no longer being around family), cultural shock (moving from a small town to a city), being academically behind their peers (inadequate education system in Bamfield) and changing home environment. Boarding children in Port Alberni for high school education is difficult on both the family and child. Citizens often described the change as too dramatic, traumatizing and poorly transitioned, especially if children's families are not there to support them. Citizens shared stories of children dropping out of school after moving from the Ḥahuuḥi to attend high school in Port Alberni. We heard from many Huu-ay-aht families who said that in order for their children to receive good education and more learning opportunities, they had to move away from Home.

Childcare Options

From families, we heard there are limited childcare options in the Ḥahuuḥi. The current childcare program, Paawats in Anacla is open from 8:30 am to 4:00 pm, from Tuesday to Fridays. Unfortunately, this childcare schedule does not accommodate a variety of work start and end time, consequently limiting employment options for the parents and/or guardians. We heard from families away from Home affirming that the lack of childcare options in the Ḥahuuḥi greatly reduces their interests in moving home.

> *"If my mother wasn't living here and available to help us, I don't know what we would do about child care." (Anacla Resident)*

Healthcare Services

From Citizens we heard that living in the Ḥahuuḥi could be difficult because of the lack of amenities. However, of all of the various types of amenities and services, the lack of healthcare was a major concern raised by Citizens, especially by Elders. Huu-ay-aht families and individuals that have health concerns or issues, feel it is too difficult to live in the Ḥahuuḥi. With limited access to doctors, nurses and health clinics and no access to

specialists, hospitals and laboratories, the frequent travel to Port Alberni to access these services can be arduous and expensive. Many Elders shared their worries with aging and the associated health concerns.

> *"What will happen as I age, what if I can't walk, I want to stay in Anacla, but I'm worried that if something happens to me, I will have to move to Port Alberni." (Anacla Elder)*

From Citizens we heard concerns with lack of hospital and ambulance access in case of an emergency. In a city, a health emergency can often be addressed in a timely manner with the access of ambulances. A health emergency in the Ḥahuuƚi can be fatal, as it can take up to four hours until a person is taken to the Port Alberni hospital by ambulance. Along with the major health services, the Ḥahuuƚi needs better access to paramedical services, such as massage therapists, chiropractors, physiotherapy, acupuncturists, nutritionists, etc. Dental healthcare services are also missing in the Ḥahuuƚi and the closest place to access it is in Port Alberni.

Things to Do

We heard from Citizens concerned with not having enough things to do in the Ḥahuuƚi. Citizens expressed that in the summer months, they can fill their time with outdoor activities, however, during the colder, wet winter months, Citizens living in the Ḥahuuƚi, need more opportunities to socialize that do not involve alcohol. For youth and children, they need more activities outside of school hours, and safe, healthy, accessible spaces to hang out or play.

> *"I live a busy schedule in Port Alberni, with sports like basketball. If I lived there (Anacla), I don't what I would do there." (Port Alberni Youth)*

Social Dynamics of a Small Community

From Citizens we heard that living in a small community like Anacla has its social strengths and weaknesses. The strengths, as mentioned earlier, included a sense of community and neighbours looking out for each other. However, small communities also have their challenges including gossip, rumours and a lack of privacy. With few things to do in Ḥahuuƚi, Citizens expressed concerns with falling into unhealthy lifestyles, including the pressures to drink and party.

> *"There needs to be more things to do here. The hardest thing about living here is trying to "not drink". There is a lot of peer pressure to drink and party. It's hard to keep busy. It would be nice to have a women's group." (Anacla Resident)*

Rejection and change were fears communicated by Huu-ay-aht Citizens living both away and in Ḥahuuƚi. For those living away, Citizens feared not being accepted and ultimately feeling unwelcome and rejected by the community. We heard sentiments of "them vs. us" shared by Citizens apprehensive of moving to Anacla. From Citizens currently living Anacla, they shared fears of a flood of seasonal residents impacting the "community feel" or people moving to the Ḥahuuƚi but not wanting to be part of the community.

> *"I am afraid of people coming here and making a profit out of the houses. They are going to come here and invest and they are not going to live here or move here or rent it out." (Anacla Resident).*

In smaller, remote communities law enforcement often does not reside in the community. Citizens shared concerns with safety due to not having policing or law enforcement readily available in the Ḥahuuƚi.

Bamfield Road and Transportation

The unpaved Bamfield Road is a challenge for many Citizens interested in living in the Ḥahuuƚi. Due to the lack of amenities and services in Anacla and Bamfield, Citizens with access to adequate vehicles are finding themselves traveling the unpaved Bamfield Road at least 3 – 4 times a month. Travel on the Road is time consuming, often taking 2 or more hours one-way. Citizens shared concerns about driving during the winter months when poor road conditions make travelling to and from the Ḥahuuƚi to Port Alberni extra long and often unsafe. We heard from Citizens that accessibility and independence is possible in the Ḥahuuƚi if Citizens have access to a driver's license and a good vehicle. Without a car, travelling to and from upper Anacla, lower Anacla, Bamfield and Port Alberni is difficult and expensive, as there are no scheduled, convenient, affordable transit options.

> *"When I go get groceries, I pay to get a taxi from lower Anacla to the dock in Bamfield and take the Lady Rose boat to Port Alberni, it's usually 3.5 – 4 hours one-way*

depending on how many stops there are. Once I get to Port Alberni, I take a taxi from the dock to my motel room, because the boat schedule doesn't allow for me to come back the same day. From the motel I take my suitcase on wheels with me on to the bus and go to several groceries stores in town. When I finish shopping, I take the suitcases filled with food on to the bus and head back to my motel. On the day to take the boat back, I travel by taxi back to the boat with my groceries and head back the same way I came, taxi, boat and taxi again. It makes for long days." (Anacla Elder)

"Either your parents drive you or you walk. If you don't have a ride you just don't go to events in upper Anacla or Bamfield. You have to depend on your parents to get you everywhere." (Anacla Youth)

WHAT MAKES A SAFE, HEALTHY AND APPEALING HOME

Huu-ay-aht Citizens communicated many suggestions and opportunities on what Citizens need to have to be happy in a home. We quickly learned that "safe" and "healthy" applied to a home has many different meanings and interpretations. The panel learned that a safe, healthy and appealing home must be understood, viewed and approach holistically. Therefore, throughout the report, the Panel strives for a holistic view when it comes to housing, understanding that a home is beyond the four walls and roof that contains it. Many things were identified as important to Citizens when it came to living in a desirable happy home. Below are the top themes discussed by Citizens on the essential attributes of a safe, healthy and appealing home.

Healthy and Safe Interactions with People In and Around the Home

We heard from Citizens that inside the home there must exist strong family support and relationships. The adults in the home must be strong role models for children, meaning that they did not participate in substance abuse. The home also needed to be a place where family members felt welcomed and engaged in respectful communication, regularly and openly. Shared activities in a home, such as dinners or story time, with family members were strongly valued by Citizens. Stories were shared of families spending time over dinner, music and crafts. From Citizens we also heard that a strong sense of community outside of the home was an important factor in safety and health. Citizens enjoyed knowing their neighbours, and being able to rely on them for both small and large tasks. Elders shared stories of growing up in Anacla and feeling safe, and having a general understanding that the neighbourhood and its residents had a collective responsibility to care and watch out for the children that lived there. A respectful relationship with neighbours and community members included respecting each other's privacy and boundaries as well as respectful communication.

"I have regular conversations with my boys about life, the pressures of growing up and the responsibilities of becoming adult. My boys know that I am available to them if they are faced with challenges or conflict." (Nanaimo Resident)

The Foundation of Housing includes Huu-ay-aht Culture and Values

Almost all Citizens spoke about the importance of being able to access Huu-ay-aht culture and values both in and out of the home. We heard the importance for Citizens to have opportunities to practice culture and language, and connect to culture through the land. Citizens liked the idea of having a space that supports Huu-ay-aht teachings and values that allowed for intergenerational connection, relationships and support. Connecting and learning from Elders is a crucial part of youth development for Huu-ay-aht Citizens. Many Citizens shared happy stories of home as a place where grandparents passed on stories and knowledge to children and families, over a meal of traditional foods.
Citizens recommended incorporating Huu-ay-aht scared principles into all Huu-ay-aht housing programs, processes, policies and plans, including housing design and social programs. Examples included:

- Identifying creative ways to provide support systems within families and making support and care also a community responsibility, rather than just a Huu-ay-aht government responsibility.

"I want to understand what the process is and what it would take for me to be able to buy a piece of land and put a trailer on it. I need to understand the logistics of that." (Victoria Resident)

- Finding ways to support the development of pride in the homes of Huu-ay-aht Citizens.
- Redefine the housing expectation from the Nation and Citizens, including moving away from dependence on the Nation.
- Finding new and multiple avenues for people to access housing in the Ḥahuuƚi, including offering housing for all Citizens with all types of needs, abilities and stages of life.
- Recognizing that all Citizens should be able to feel safe and healthy in the Ḥahuuƚi.

Post-Treaty Housing Independence

Education on Housing

We heard from all Citizens that there is a need for education to support Citizens in understanding what post-Treaty housing independence looks like. This education could be placed into two categories:

- Understanding basic home care and maintenance, to help Citizens plan and expect house needs, and support Citizens independently repair and maintain their homes; and,
- Promote Citizens' financial capacity and independence for housing, which would help Citizens financially plan, budget and save for all types of current and future housing needs.

Financial Assistance from the Nation

We heard a range of suggestions and ideas on how the Nation can support Citizens financially when it came to housing. The common suggestions we heard, included:

- Micro-loans/loans/lending and/or grants to support initial investments towards the building or the owning of a home on Treaty land.
- Allow Citizens to finance their mortgage through the Nation, allowing for a greater safety net and flexibility for Citizens.
- Provide a variety of housing options for Citizens to access housing, including affordable rental, rent-to-own and mortgage housing scenarios.

Transparency and Communication on Housing

As identified earlier, Citizens do not feel knowledgeable when it comes to housing in the Ḥahuuƚi. We heard that Citizens want to have an understanding of Huu-ay-aht's housing policies, plans and processes, including transparency on any housing allocations selection or decisions. From Citizens we heard that it would be beneficial for Citizens to have access to a "Housing Navigator," a designated person to help Citizens on all things housing related.

> *"I want to understand what the process is and what it would take for me to be able to buy a piece of land and put a trailer on it. I need to understand the logistics of that." (Victoria Resident)*

Employment

When the Panel asked Citizens, "What would make you stay or come live in the Ḥahuuƚi?" We heard over and over again full-time, year-round, well-paid, meaningful work opportunities in the Ḥahuuƚi. Most of the more recent residents in the Ḥahuuƚi (those that moved to Anacla in the last 5 years), explained that one of the factors that supported their move was a job opportunity. For those that once lived in the Ḥahuuƚi, lack of good employment was one of the top two reasons on why Citizens had to move away from Home. The second reason for leaving the Ḥahuuƚi was education for their children and families.

> *"Meaningful employment is work that can be translated back into the community. Employment that helps fosters healthy communities. I am currently looking a developing a long-term cultural camp in Anacla." (Victoria Youth)*

Housing Affordability

Citizens identified housing affordability as the ability for families and individuals to live comfortably with their income and housing costs, and approximately 30% of one's income would go towards housing. Housing affordability takes into account the associated cost with where a person lives, ensuring it is manageable. To help Citizens with housing affordability, Citizens wanted to see more types of housing for different levels of income, life stages and sizes of families, paired with different financial structures and options to support Citizens in obtaining housing affordability.

Access to Amenities and Services

We heard from Citizens that it is important to be able to access amenities and services where they live, rather than having to travel elsewhere to obtain them. The most important amenities and services raised by Citizens included:

Education

Citizens spoke about wanting access to good education for all ages, levels

and interests. Adults wanted to be able to access everything from post-secondary education to short-term workshops or programs. From all Citizens we heard it was especially important for children to be able to access kindergarten to grade 12 education in the Ḥahuuł̓i.

Transportation

From Citizens we heard the struggles of getting around the Anacla communities and to Bamfield, as well as getting to Port Alberni or other cities from the Ḥahuuł̓i. Citizens want access to convenient, reliable, and scheduled varieties of transportation options. Recommendations from Citizens included:

- Alternative transportation options (shuttle bus, boat, handy dart, golf carts, etc.)
  - Scheduled shuttle between Port Alberni to Anacla
  - Scheduled shuttle between Lower, Upper Anacla and Bamfield
- Upgrade the Bamfield Road to have better driving conditions

Food Security

Citizens expressed the importance of having access to healthy, fresh, affordable food. Citizens recognized that living in the Ḥahuuł̓i, in order to have healthy, nourishing meals, more grocery store options to access fresh, affordable produce and meats are needed.

Healthcare

We heard from Citizens about the importance of being able to access all levels of health care, including doctors, hospitals, ambulances, dentist, physiotherapist, chiropractor, etc. Citizens provided a variety of suggestions including having an accessible registered nurse devoted to the Nation, with regular visits to Anacla residents, as well as a dentist visit for community dental check-ups.

> *"Having a trusted relationship with a nurse is important. Having a health profession that understands the health needs of a community with an additional understanding of the community's history would provide a more holistic view on health and community members' health related needs." (Victoria Youth)*

Childcare

Citizens told us about the importance of having childcare options to support working families. Citizens believe adequate childcare in the Ḥahuuł̓i includes availability from Monday to Friday, with potential options for Saturday and Sunday care, and longer hours to support a variety of parents' work schedules. It is recognized by Citizens that the former is achievable with more Early Childhood workers in the Ḥahuuł̓i.

Law Enforcement

We heard from Citizens that access to trustworthy, reliable, reachable law enforcement is important in supporting the feeling of safety in a community. Due to the remoteness, Citizens suggested a variety of options to support community safety in the Ḥahuuł̓i. Those included formally identify a group of Citizens that support the safety of the community (ex. Neighbourhood Block Watch). This group could be connected to and have a relationship with the RCMP, assisting with assessing emergencies and other situations that involve policing. Citizens also recommended identifying safe houses and spaces within the community for people to go to if they needed help.



Healthy Activities

We heard from Citizens that more entertainment options and healthy activities in the Ḥahuuƚi are necessary for all ages to make it an appealing place to live. Simply put, Citizens need more things to do. A few examples shared by Citizens included:

For youth and children

- Afterschool programs
- Sport and recreational programs
- Swimming pool
- Boy Scout and Girl Scout
- Workshops and courses for youth to coach sports, or babysitting
- Teen hangout area

For adults and Elders

- Restaurant options
- Bingo hall
- Coffee shops – Lower Anacla
- Sport and recreational programs
- Women's group

Homes for Elders

Based on the responses on providing safe, healthy and appealing homes for Elders, it is evident to the Panel that Huu-ay-aht Citizens deeply value and care for their Elders. From Citizens we received comments, ideas and suggestions for how to make housing better for Elders which included having an Elders housing facility in the Ḥahuuƚi, as well as social considerations and housing design. Citizens recognized that Elders might need more support, especially those living in the Ḥahuuƚi.

We heard from Elders wanting to stay in the Ḥahuuƚi, but were contemplating moving to Port Alberni to have better access to services such as transportation, groceries, healthcare and senior housing. Under social considerations, the most frequent recommendation from Citizens included programs to:

- have youth check-in on Elders to prevent isolation and promote youth and Elders relationships,
- provide Elders with transportation to Port Alberni to access services and amenities, such as grocery stories, banking and doctors, and
- designate a role/person to support Elders with paperwork, planning and access to information.

Design suggestions for Elders' homes included:

- access to an emergency device to call for help,
- design features to support all types of mobility (ramps, handrails, etc),
- opportunities for Elders to live on the ground floor of their two-story houses, and
- spaces for Elders and Citizens to socialize and connect.

A Thoughtfully Designed, Well Built Home

We heard from Citizens that a good home must be more than just four walls and a roof. It needs to be structurally sound and durable, made of materials suitable for west coast climates. The home must also be able to promote security and safety, with the ability to lock doors and windows. There needs to be enough space for everyone within the home, and potentially, space for visiting family. Citizens spoke about the importance of having reliable access to utilities, such as phone, internet, water, electricity and sewage.

For Citizens living in the Ḥahuuƚi or those interested in moving back home, they listed a number of housing features necessary for comfortable and appealing west coast living. Those included:

- a woodstove to help keep electric bills low and the house warm during winter months and power outages,
- a generator to keep the fridge and other important appliances running during power outages,
- a shed or carport to store tools, lawn mowers, fishing gear, wood, etc., and
- a smoke house to be able to smoke fish.

Desirable Community and Neighborhood Design

Citizens told us of the importance of a well-designed community, in particular, how space in a community is situated helps support or hinder healthy interactions and lifestyles. Citizens expressed the importance of:

- Neighbourhood walkability to promote active lifestyles, community interaction and the reduction of dependencies on vehicles, and provide mobility to those without vehicles. Walking paths can help encourage walkers and support community interactions outside of their vehicles.
- Community space for alcohol-free gathering and socializing.

These areas or buildings would be warm, inviting and support community interactions, such as community potlucks, sporting events, cultural activities, children's programing and youth hangouts.

- An interactive playground designed for all ages, with covered seating areas for families and Elders.

"When I'm visiting family it would be really great to have a really nice playground for the kids to play on. There needs to be more for the children to engage with. There's a whole bunch of kids there that need activities." (Port Alberni Resident)

- Tree-lined neighbourhoods to provide shade and aesthetic appeal.
- Adequately lit indoor and outdoor space to promote safety.
- A variety of housing options with similar design characteristics to promote "neighbourhood feel", such as size and height restrictions.

CONCLUDING OBSERVATIONS ON CITIZEN ENGAGEMENT

Once again, we wish to thank Citizens for giving generously of their time and providing the Panel with helpful information and numerous insights to guide our work.

What comes through over and over again is that ensuring there is sufficient quality, affordable housing in the Ḥahuuƚi is not enough. We must also ensure that sufficient quality social, recreation and physical infrastructure is all in place. Everything truly is connected - Hišuk ma c'awak.

And while the range of items requiring attention to create sustainable housing in the Ḥahuuƚi may seem daunting, the Panel was encouraged that in all cases there are practical and affordable solutions providing the Huu-ay-aht government, Huu-ay-aht Citizens, Canada, British Columbia and their agencies such as CMHC and BC Housing all work together.

Informed by this community engagement, in the next section of our interim report, we begin the task of scoping out the housing and infrastructure gaps that we need to work together to close.

Homes for Huu-ay-aht Citizens

5

Identifying Gaps in Huu-ay-aht Housing & Related Infrastructure

Making the Ḥahuuƚi a safe, healthy, appealing place with a strong economy where half of Huu-ay-aht Citizens wish to live means creating a sustainable community which has the necessary housing and related infrastructure.

A helpful way to think about the creation of a long term sustainable Huu-ay-aht community is to define the gaps which must be closed between the current situation in Ḥahuuƚi and the desired future outcome. Using this approach, there are at least six potential sustainability gaps, whether in terms of capital costs or operating, programming and maintenance costs.

Based on community input and our own analysis, it is possible to identify the main infrastructure gaps and their size and develop a rough order of magnitude capital cost estimate in the following areas:

A. Capital expenditures required to ensure existing houses are well utilized and sustainable.

B. Capital expenditures required to build new housing sufficient to fill the gap between the number of Citizens currently in the Ḥahuuƚi and half the Huu-ay-aht population.

C. Capital cost of physical infrastructure, including recreational infrastructure, required to support the above houses.

The associated operating, programming and maintenance costs will be significant and must also be identified, best done once the overall capital program is defined. Operating, programming and maintenance costs would include the following areas:

A. Operating and maintenance costs associated with existing and new housing.

B. Operating, programming and maintenance costs associated with physical, recreational, and other infrastructure.

C. Costs associated with social infrastructure, education and other services required to make the community sustainable.

In the balance of this section of the report we analyze the order of magnitude capital costs. Importantly, we are not at this early stage determining who will pay for what cost, rather we are endeavouring to determine the overall capital cost price tag.

A. EXISTING HOUSING – CAPITAL EXPENDITURES

Leaving aside houses outside Anacla for the time being, there are currently 44 houses between lower and upper Anacla. Of the 44 houses, three are CMHC rental houses, while 1 rental house, and 2 rental units are Huu-ay-aht owned. Some of these houses in Anacla may be considered uninhabitable.

From a sustainable community perspective it is important to offer to work with home owners and occupiers to evaluate the condition of these units, as well as the long term sustainable level of occupancy. In some cases it could be possible for homeowners and the Huu-ay-aht government to work together to increase the level of occupancy by building secondary suites.

If existing houses in Anacla which require repairs and maintenance are brought up to a sustainable standard, this will reduce the number of new homes required and will also potentially provide lower cost rental housing for Citizens right now.

Based on limited information, an illustrative allowance for repairs and maintenance together with suite conversion is $1.35 million.

#5 PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should work with leaseholders in Anacla to conduct a detailed building condition assessment, identify available funding programs for any repairs and maintenance upgrades required to make houses sustainable, assess potential ways to partner with leaseholders who are interested in the development of rental secondary suites, and develop an implementation game plan. This work should be completed by December 31st, 2019.

B. NEW HOUSING – CAPITAL EXPENDITURES

The Panel adopted the following methodology to define the gap for new housing:

- Huu-ay-aht's population was projected forward to the year 2033,
- 50% of this population is assumed to locate in the Ḥahuuḥi,
- An estimate of average household size range is made,
- The total number of required housing units is calculated, and
- The total number of housing units is allocated by housing form, and location within the Ḥahuuḥi.

The Panel welcomes feedback on these estimates and assumptions.

POPULATION PROJECTIONS

The current population of Huu-ay-aht is approximately 850 Citizens. Huu-ay-aht's Land Use Plan (consolidated to 2014) assumes an annual population growth rate of 1.6%. As projection of growth rates is an

uncertain endeavour, three options have been prepared and the results presented in the table below.

Table 3 – Population Growth Projections

Projected Huu-ay-aht Population (Using Optional Annual Growth Rates)			
Year	**1%**	**1.5%**	**2%**
2019	850	850	850
2026	911	943	976
2033	977	1047	1122

Fulfillment of the Huu-ay-aht goal of half of the Nation's Citizens living in the Ḥahuuḥi by 2033, would see a population of 490 to 560 (values rounded) living at Home.



RESIDENTIAL HOUSING DEMAND

The Huu-ay-aht Land Use Plan was referenced to calculate the current average number of persons per household living in Anacla. The Plan noted a total population of 131 Citizens living in 43 housing units, for an average of three persons per unit. The 2016 Census also contained population and housing information for Anacla, and enumerated a population of 85 living in 35 homes in Anacla, yielding an average number of persons per household of 2.4.

Anecdotal information suggests that these numeric values drawn from the Huu-ay-aht Land Use Plan and 2016 Census under represent the average number of people per household currently living in Anacla. In addition, Citizen engagement undertaken to date noted a preference for 2 and 3 bedroom single detached housing among those who would consider moving to Anacla. Taking the above into consideration, a range of average number of persons per household is suggested for demand projections – 3 at the low end of the scale, and 5 at the high end.

Drawing on the above population projection and average number of persons per household values, the total number of housing units required to achieve Huu-ay-aht's housing goal is summarized in the following table:

Table 4 – Demand for New Housing Units on the Ḥahuuḥi (Total demand from 2019 to 2033)

Total Housing Required	Existing Housing Stock	New Housing Demand
98 to 187	44	58 to 147

Assumptions:

- *50% of Huu-ay-aht Citizens living in the Ḥahuuḥi;*
- *98 total housing requirement from low population growth (1%) and high persons per household (5) option;*
- *187 total household requirement from high population growth (2%) and low persons per household (3) option;*
- *Total of 44 homes in Anacla as of May 2019, some of which should likely not be inhabited.*

TYPE AND LOCATION OF FUTURE HOUSING DEVELOPMENT

Based upon input from Citizen engagement, single detached housing units are assumed to be the preferred form of housing for Huu-ay-aht Citizens moving to the Ḥahuuḥi. This form of housing is assumed to comprise 75% of all units. The remaining 25% are assumed to take various forms of lower density multi-family housing such as townhouses and possibly small apartment complexes, including units to serve the needs of the community in relation to Elders housing, shelters and transitional housing.

With respect to location, 95% of single detached housing units are projected to be located in Anacla, with 5% elsewhere in the Ḥahuuḥi. Some Citizens who provided input during community engagement noted their preference to relocate to Sarita, Grappler or other locations within the Ḥahuuḥi away from Anacla. The majority of those commenting, however, noted upper Anacla as their preferred location if they were to move back home. All multi-family housing is forecast to occur in upper Anacla.

The assumptions set out above lead to the allocation of new housing units by type and location, which are summarized in the following table:

Table 5 – Type and Location of New Housing Units
(Total Demand from 2019 – 2033)

New Housing Demand by Type			Location of Single Detached Housing	
Single Detached	Multi-Family	Total	Anacla	Other Ḥahuuḥi
75	25	100	70	5

Assumptions:

- *Average of range of new housing demand from Table 4 used in calculation*
- *75% of new housing demand single detached*
- *25% multi-family*
- *95% of single detached in Anacla.*

The Panel's initial estimate of the housing gap is 100 residential units.

Extensive community engagement over the summer months as per Panel Recommendation #2 will enable the Panel to 'ground truth' this initial estimate and make any necessary revisions. This further engagement work is essential because the estimate of the housing gap forms the basis for many other panel recommendations. If the Huu-ay-aht government is able to reach 70% to 80% of all Citizens aged 15 or over in the next round of Citizen engagement, then the Panel will be confident that its final recommendations take into account the input and needs of most Citizens.

ORDER OF MAGNITUDE

Estimated Cost of Building 100 New Residential Units is $40.5 Million, including Huu-ay-aht contribution of $8 million in serviced lots.

The Panel does not as yet have the necessary information to be able to make a definitive estimate of the cost of closing the residential housing gap through the construction of 100 new residential units in the Ḥahuuḥi, primarily in the Upper Anacla area. There are many factors that affect housing costs and whether or not they are affordable for Huu-ay-aht Citizens.

For example, much will depend on the specific housing needs of Citizens that are considering moving to Anacla, including their financial circumstances. At one end of the spectrum are Citizens who have limited financial means and large families. For these Citizens most in need, social housing with subsidized rent will be the only viable option. At the other end of the spectrum are Citizens who have well-paying jobs and medium-sized families who have the financial means to borrow and make the necessary mortgage payments.

Another factor is the cost of construction and the financial cost of the land parcel. Construction costs could range from $200 per square foot to $300 per square foot. The recently announced pilot modular housing project will provide invaluable information on current construction costs.

The Panel has developed a simple cost analysis framework and has made a series of general assumptions in order to provide the Huu-ay-aht government and Citizens with a rough order of magnitude cost estimate to build 100 new homes, ready for occupancy in the Ḥahuuḥi, primarily in Anacla. Please refer to the Cost Analysis Framework and underlying assumptions set out on the following page:

Single Detached	Square Feet	Max Occ.	Land	Building	Closing Costs	Total Cost	Homes	Extended Capital Cost
1 bedroom	650	2	$ 80,000	$ 162,500	$ 5,000	$ 247,500	20	$4,950,000
2 bedroom	850	3	$ 80,000	$ 212,500	$ 5,000	$ 297,500	25	$7,437,500
3 bedroom	1050	4	$ 80,000	$ 262,500	$ 5,000	$ 347,500	35	$12,162,500
4 bedroom	1250	5	$ 80,000	$ 312,500	$ 5,000	$ 397,500	20	$7,950,000
						Total	**100**	**$32,500,000**

Single Detached	1st Mtge	Monthly Mtge Payment	Utilities	Insurance	Total Monthly Carrying Costs	Required Annual Household Income	*Required Hourly Wage* One Earner	Two Earner
1 bedroom	$167,500	$826	$150	$75	$1,051	$42,054	$20.22	$10.11
2 bedroom	$217,500	$1,073	$200	$100	$1,373	$54,921	$26.40	$13.20
3 bedroom	$267,500	$1,320	$250	$125	$1,695	$67,788	$32.59	$16.30
4 bedroom	$317,500	$1,566	$300	$150	$2,016	$80,655	$38.78	$19.39

Assumptions:

- Citizen is First Time Homebuyer (qualifies for exemption from Property Transfer Tax)
- Land value at $80,000 provided at no cost to Citizen
- Land will be considered at full value by leading institution towards mortgage qualification
- Land value used towards minimum down payment of 20% of total home (land and building) value to avoid CMHC High Ratio Mortgage Insurance
- Construction costs including all permit and amenity fees not to exceed $250 per square foot
- Closing costs not to exceed $5,000 (legal, appraisal, etc.)
- Mortgage: Amortization: 25 years Interest rate: 3.39% Term: 5 years
- Total monthly carrying costs = Mortgage Payment, Utilities and Insurance
- Property Tax assumed to be $0.00
- Annual employment hours: 2,080 = 52 weeks per year at 40 hours per week

The Panel estimates that the total capital cost to build 100 new homes is in the order of $32.50 million and the total capital cost to develop the necessary serviced lots is $8 million for a total of $40.50 million.

This cost analysis framework will also be helpful to Citizens who are trying to determine what size of residence they need and what family income or hourly wage would be required to cover the cost. As noted above, for those Citizens most in need the payment will be subsidized.

The Panel is hopeful that it will be possible to gather more information from Citizens this summer using this framework. This will enable the Panel to develop a better overall picture of the size and type of housing needed and the total capital cost.

The Panel will also solicit feedback from the Huu-ay-aht government including information related to the pilot modular housing project, CMHC, BC Housing, and other parts of the provincial and federal government to help refine the above analysis of the housing gap and the draft Citizen Housing Options Framework set out below.

#6

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should canvas Citizens during the recommended Summer 2019 engagement process to determine in more detail the size, type, and cost of housing they would require if they moved permanently to the Ḥahuuƚi.

C. PHYSICAL INFRASTRUCTURE – CAPITAL COSTS

Existing physical infrastructure is described below followed by an order of magnitude capital cost estimate for new or upgraded physical infrastructure. The estimate is focussed on the highest priority infrastructure determined from Citizen engagement and the Panel's analysis.

EXISTING PHYSICAL INFRASTRUCTURE

Lower And Upper Anacla Residential Subdivisions

Lower Anacla is accessed via a road network which extends from the Port Alberni – Bamfield Road, and currently comprises approximately 40 homes which are supplied with water, sanitary sewer disposal and electricity services. Nookemus Road provides access to upper Anacla. This road and the water and sewer utilities within it are currently being upgraded, with completion scheduled for late May / early June 2019. Community water, sanitary sewer and electricity are provided to the existing residences in upper Anacla, as well as the Huu-ay-aht Administration Building and House of Huu-ay-aht located adjacent to the residential area.

Much additional residential development is planned for the upper Anacla subdivision. Previous conceptual planning envisioned approximately 50 residential lots of varying size. These are shown on the land use plan for the upper Anacla area contained in Appendix I of this report.

This concept plan can be refined to reflect Huu-ay-aht's current needs. For illustrative purposes, approximately 140,000 square metres (14 hectares, or 35 acres) of developable land lay within the boundaries of the area shown on this concept plan (not including stormwater pathways). If 25% of this land base is removed for roads and associated infrastructure, this leaves 105,000 square metres of land for residential development. The Huu-ay-aht Zoning Regulation provides for a minimum parcel size of 525 square metres for single family residences. If the land identified for development on the concept plan (less stormwater pathways and roads) were all dedicated to single family residential development at the minimum parcel size allowed, it could therefore yield up to 200 single family residential units.

There is an 11 lot residential subdivision with lots accessed directly from Nookemus Road proposed, with some of these lots targeted for occupancy by the pilot modular housing project proposed by the Panel. A copy of this 11 lot subdivision plan is contained in Appendix I of this report. These lots are generally large (ranging from 650 m2 to 1,900 m2), and are not included in the calculation of future developable area set out in the paragraph above.

Transportation Access to Anacla

The primary method of travelling to and from Anacla is the Port Alberni – Bamfield Road, which is approximately 80 kilometres in length. The surface of the road is comprised of largely native materials – it is neither paved with asphalt nor hard-surfaced with chip seal at this time. Depending upon the time of year, type of vehicle and behaviour of the driver, the road can take up to 2.5 hours to navigate. It is also used by industrial traffic, primarily logging trucks.

Huu-ay-aht Citizens currently living in Anacla, as well as those considering relocation, see the condition of the current road and characteristics noted above (including the need for a large, well-functioning truck or sport utility vehicle for regular use of the road) as a significant deterrent to housing and associated facility requirements in Anacla.

Most Citizens engaged by the Panel saw an improved road allowing better access by Anacla residents to health care, recreation and other required services as necessary. All those engaged felt that it would markedly assist Huu-ay-aht with economic development initiatives. Road improvements would also support transit services – such as a shuttle bus – which could be available to Huu-ay-aht Citizens living in either Anacla or Port Alberni who do not have a personal vehicle to travel more easily between the two communities for shopping, recreation, health care and other needs.

Some Citizens use a water-based transportation service between Bamfield and Port Alberni. While this does provide an alternative to road transportation, it can involve a multiple-mode trip for Citizens travelling to Port Alberni, i.e. from Anacla to Bamfield, onto boat, off boat in Port Alberni, into taxi for shopping (possibly multiple stops), into taxi back to boat, and then managing groceries and other shopping items off boat in Bamfield and back into home in Anacla.

Transportation Within the Anacla – Bamfield Area

Two specific limitations of the transportation system within the Anacla – Bamfield area were noted:

- Use of the road and trail connections – this can be a challenge for those who do not have access to a vehicle, and have a physical condition which makes walking or cycling difficult; there is currently no in-community transit service;
- Within Anacla – there is an opportunity to enhance the direct connection between lower and upper Anacla via a bridge which

could be used by walkers and cyclists and also provide sufficient width for a scooter and wheelchairs.

Water Supply and Distribution

The water supply and distribution system serving Anacla is generally sound, and has sufficient capacity to service the initial 11 lot residential subdivision in upper Anacla noted above. There are some concerns with water quality which are being assessed, along with the capacity of the water supply to service additional new residential and related development.

Sanitary Sewer Collection, Treatment and Disposal

The capacity of the community sanitary sewer system servicing Anacla is limited. A substantial upgrade has been designed in conjunction with the Bamfield Marine Station (including use of its ocean outfall), and will be constructed within the next 2 years. In order to address this limitation in the very short term, a 'pump and haul' system (sewage is collected in common tanks connected to multiple buildings, and then loaded onto pumper trucks that haul it to a disposal facility - likely Port Alberni) is planned. In the short to medium term, there is an opportunity to develop a community disposal field to limit the time a pump and haul system is required, yet provide treatment and disposal services prior to the new facility being ready in 2 years.

Power Supply

Anacla does have a community power supply, however, it is susceptible to outages due to weather events and other circumstances. The proposed run of river project may help to reduce outages. As well, the use of green technology in new homes may reduce reliance on the grid.

Internet Connectivity

There is limited internet connectivity available in Anacla (generally in the vicinity of the Huu-ay-aht Administration Building), and at selected locations in Bamfield.

Home Heating

There is no natural gas or other home heating fuel distribution system available in Anacla. Citizens rely on electricity as well as wood fire-generated heat. Huu-ay-aht provides for the firewood needs of Elders living in Anacla.

The Panel seeks feedback from the Huu-ay-aht government on the above description of the current physical infrastructure situation.

As well, the Panel wishes to ensure that the main areas of concern and interest of Citizens in relation to physical infrastructure have been captured.

NEW AND IMPROVED PHYSICAL INFRASTRUCTURE

The Panel would like to offer two sets of draft recommendations for review by Huu-ay-aht Citizens and the Huu-ay-aht government. The first set are recommendations for short-term improvements to the physical infrastructure situation in Anacla (i.e. within the next 2-3 years), and the second set are recommendations for Huu-ay-aht's consideration over a period beyond 3 years.

SHORT-TERM IMPROVEMENTS

1. Upgrade the Port Alberni – Bamfield Road

The design, construction and maintenance of a proper hard-surfaced road, likely using the 'chip seal' method, is a fundamental infrastructure investment to support more housing and improved community services in Anacla. An improved road would foster economic development and provide more good jobs, provide high school students the ability to live in Anacla and attend school in Port Alberni (until a sufficient number live in Anacla / Bamfield to support a high school there), and allow better access of Anacla residents to health care and many other services available in Port Alberni and beyond.

The estimated cost of designing and constructing a chip seal road over its 80 kilometre length is $25.3 million. It is recommended that Huu-ay-aht pursue both provincial and federal government financial support for this project. Huu-ay-aht should consider making up any gap between the design / construction cost and funds made available from other governments. Huu-ay-aht should also consider contributing to road maintenance costs.

2. Construct a Multi-Room, Multi-Purpose Community Centre

There is an expressed need for a smaller-scale room where people can gather in closer settings in Anacla. These gatherings could be for multiple purposes – expanded day care, young people / teen gathering space, Elders get-togethers, and education and cultural programs are all examples. The Panel recommends that this centre be developed in upper Anacla in conjunction with the expanding residential development in that area.

An allowance of up to $2 million is suggested for this centre, allowing a building of approximately 7,000 square feet and using current construction costs understood to be $200 to $300 per square foot in Anacla. Funding should be sought from the Government of Canada through Indigenous Services Canada.

3. Improve Internet Connectivity

The availability of reliable high-speed internet service to Anacla would support the community in many ways. Students would have better access to learning resources. Elders would be able to reach out for medical or other assistance more readily. And Huu-ay-aht Citizens would be able to work remotely from their places of employment, an increasing trend in professional service and other industries, and one which can truly improve economic and employment conditions in Anacla.

When the Canadian Radio Television and Telecommunications Commission (CRTC) set up the $750 million Broadband Fund, Ian Scott Chairperson and Chief Executive Officer of the CRTC put it this way:

> *"Canadians living in rural and other underserved areas need high-quality broadband Internet and mobile wireless service to fully participate in the digital economy and to access health care, education, government and public safety services. Today's decision marks a key milestone in setting up the Broadband Fund, which will facilitate access to these services to thousands of Canadians across the country."*

The CRTC target for high speed internet and potential funding programs can be found at Appendix E.

Our order of magnitude estimate for the cost of bringing high speed internet to Bamfield/Anacla is $5 million. There are significant potential funding sources available to cover this cost. The Huu-ay-aht government may already be pursuing these opportunities and the Panel wishes to discuss high speed internet planning with the Huu-ay-aht government prior to issuance of the Final Report.

#7

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should consider making high speed internet access to Anacla a strategic priority for 2019 and pursue available funding programs and possible funding partners, such as in the area of health.

4. Transportation Study within Anacla – Bamfield Area

A comprehensive transportation study is recommended to address a number of issues in the Anacla - Bamfield area. These include the evolving transportation needs of Huu-ay-aht Citizens and other area residents (including relevant demographic, socio-economic, mobility and related considerations), the optional transportation methods best suited to these needs (such as transit, pedestrian and cycling trails), and recommendations for the future of the transportation network.

The Panel recommends that the connection between lower and upper Anacla be given special attention in this study. Lower Anacla is the current home for many Huu-ay-aht Citizens, including Elders. Upper Anacla hosts the Administration Building and House of Huu-ay-aht, and is envisioned as the main focus of future residential development. There is an opportunity to improve the connection between these two areas through optional means ranging from a permanent bridge connection (accommodating pedestrians, cyclists, wheelchairs, scooters, but not vehicles), to enhanced transit service and other options.

The estimated cost of this transportation study is $50,000.

#8

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should canvas Citizens during the engagement process set out in Recommendation #2 to confirm whether Citizens agree that the top priority infrastructure upgrades to encourage families to stay or relocated to the Ḥahuuḥi are upgrade the Port Alberni-Bamfield road, construct a new multi-room, multi-purpose community centre, improve internet connectivity, and conduct transportation study within the Anacla-Bamfield area.

#9

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should explore Huu-ay-aht own source, federal, provincial, and other capital and operating funding sources to complete studies and make the following *physical infrastructure* upgrades by no later than March 2022:

Short Term Projects	Cost Allowance
Upgrade the Port Alberni – Bamfield Road	25.3 Million
Construct a Multi-Room, Multi-Purpose Community Centre	$ 2.0 Million
Improve Internet Connectivity	$5.0 Million
Transportation Study within Anacla – Bamfield Area	$ .05 Million
TOTAL	**$32.35 Million**

IMPROVEMENTS BEYOND THE 2-3 YEAR TIME FRAME

The Panel recommends that Huu-ay-aht continue to monitor the need for additional infrastructure on an ongoing basis. This work can be conducted as part of updating the Land Use Plan Regulation, and regular discussions at community engagement sessions, People's Assembly, and similar events. This ongoing consideration could point to additional infrastructure improvements resulting from evolving community needs, including relocation of Citizens to Anacla. Some specific initiatives to explore are:

- A pool facility
- Upgrade to the water treatment plant (for quality improvements; potential capacity upgrades as well depending upon pace of further residential development in Anacla)
- Future expansion of the sewer treatment plant (beyond that scheduled to occur within the next 2 years, depending upon pace of further residential development in Anacla)
- Implementation of the recommendations from the transportation study within the Bamfield – Anacla area including a bridge connection between Lower and Upper Anacla
- Expansion of the multi-purpose community centre

It is difficult at this point to provide cost estimates for these possible future infrastructure improvements. An allowance of $5 million is suggested. This value can be refined as evolving community needs are better understood.

#10

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should monitor the need for additional infrastructure investments to support the return of Citizens to the Ḥahuuḥi including a pool facility, upgrades to water treatment, sewer treatment, transportation improvements including a bridge link between Lower and Upper Anacla, and expansion of the multi-purpose community centre.

CONCLUDING OBSERVATIONS ON HOUSING AND PHYSICAL INFRASTRUCTURE

Leaving aside operating costs, the rough order of magnitude capital cost of housing and physical infrastructure to support half of Huu-ay-aht Citizens returning home is $79.7 million.

Capital Cost Summary

Category	Cost Allowance
Existing Houses	$1.35 million
New Houses	$40.50 million
Physical Infrastructure	$37.35 million
Total	**$79.20 million**



D. OVERVIEW OF SOCIAL INFRASTRUCTURE ISSUES

As noted previously, it is premature to estimate operating, programming and other non-capital costs associated with social infrastructure investments. However, the following section summarizes some of the main social infrastructure challenges.

BACKGROUND

The Panel understands and respects Huu-ay-aht's three sacred principles, including Hišuk ma c'awak (everything is one). In the context of this principle, the Panel developed the following diagram, which illustrates that housing is connected to all other dimensions of the Huu-ay-aht community.

The Panel established the following guiding principle to reinforce the importance and interconnectedness of housing and related infrastructure:

- Housing and other initiatives are mutually supportive and connected (Hišuk ma c'awak)
- More housing in the Ḥahuuḥi will support other economy, culture & spirituality, education, physical infrastructure, environment, recreation infrastructure, social infrastructure, and health and wellness of Huu-ay-aht.
- Economy, culture & spirituality, education, physical infrastructure, environment, recreation infrastructure, social infrastructure, and health and wellness initiatives in the Ḥahuuḥi will support more housing in the community.

Importantly, ensuring there is quality, affordable housing units in the Ḥahuuḥi is not enough.

Good social infrastructure is also required. For example, if the quality of education is below standard and does not go from K-12, then families who stay in Anacla/Bamfield are broken up as children move to Port Alberni for school. And to make matters worse, Huu-ay-aht children are behind academically when they do join a Port Alberni classroom because they have been taught in multi-year classrooms without proper support due to low student numbers in Anacla.

The bottom line is that without good social infrastructure, Huu-ay-aht Citizens will see no reason to move into quality, affordable housing in the Ḥahuuƚi.

The balance of this section therefore provides an overview of the current social infrastructure situation in the core of the Huu-ay-aht community – Anacla – as well as in the adjacent Bamfield area.

Areas are noted where the current infrastructure will need to be enhanced in the short and medium term to support Citizens returning home.

SOCIAL INFRASTRUCTURE & COMMUNITY SERVICES IN ANACLA

The Panel would like to begin by acknowledging the Independent Social Services Panel whose work was completed in May 2017[4]. The Report of the Social Services Panel is an excellent reference regarding social and related conditions in the Huu-ay-aht community, and sets out a comprehensive set of 30 recommendations for improvement. Many of the recommendations support directly or indirectly the goal of enhancing housing in Anacla. As well, the Social Services Task Force established by the Huu-ay-aht government to implement the recommendations of the Social Services Panel has already made recommendations in some of the areas set out below, e.g., education, which will indirectly support the return of Citizens to the Ḥahuuƚi.

MENTAL AND PHYSICAL WELLNESS

Currently, a very limited range of health services are available to Huu-ay-aht Citizens in Anacla. Citizens travel to Port Alberni and beyond for visits to medical and other health care general practitioners, urgent care locations and specialists. This situation is of particular concern to Elders, as well as families with young children, either currently living in Anacla, or considering relocation there.

4. The report is entitled 'Huu-ay-aht First Nations Social Services Project : Safe, Healthy and Connected, Bringing Huu-ay-aht Children Home', and is available on the Huu-ay-aht website at https://huuayaht.org/social-services-project/









EDUCATION

The elementary school in Bamfield provides instruction to the children of Anacla, aged 5 to 12, in multi-grade classrooms. The population decline in Bamfield, together with the relatively few school-age children of Anacla, has led to a very small overall student population and therefore the need to group grades together. This makes it challenging for students at any grade level to receive instruction tailored to their age-appropriate learning level.

Secondary students from Anacla attend high school in Port Alberni. The community has observed a number of challenges in this regard. Students graduating from Grade 7 at a multi-grade classroom in Bamfield may not be as well prepared as those who have had more focussed instruction in the Grade 7 curriculum. These same students must also find appropriate living situations in Port Alberni due to the impracticality of commuting from Anacla to and from Port Alberni on a daily basis. Finding these accommodations is often difficult, and may involve the entire family relocating to Port Alberni or elsewhere in order to provide support for their high school student.





Huu-ay-aht operates the Paawats child care facility in Anacla. There is a strong desire to create additional child care services in the community.

With respect to education facilities, there are spare classroom and other facility spaces in the current school building in Bamfield.

THE ANACLA ECONOMY AND JOB OPPORTUNITIES

The Huu-ay-aht Group of Businesses (HGB) maintain a number of business interests in Anacla, Bamfield and adjacent Huu-ay-aht lands. These include commercial fishery, forestry, gravel, hospitality (accommodations and restaurant), cultural tourism (centred on Kiix̣in), retail and other interests. The location of Anacla as the northern terminus of the world-renowned West Coast Trail has led to Huu-ay-aht's direct involvement in trail maintenance. The Pachena Bay campground is very popular with hikers and others drawn to the incredible beauty of this ocean-side environment. In addition to these HGB initiatives, the Huu-ay-aht government administration provides employment within Anacla.

Engagement between the Panel and Huu-ay-aht Citizens revealed the need for an increase in full time well paid job opportunities in Anacla in order to provide an incentive to stay in / relocate to the community. Citizens are appreciative of those opportunities provided to date, and hope that additional year-round (as opposed to seasonal), long-term employment which provides meaningful career growth potential as well as steady income can be evolved in Anacla.

CULTURE AND SPIRITUALITY

The link between Huu-ay-aht First Nations Citizens and the Ḥahuuƚi is inseparable. Huu-ay-aht, along with other Nuu-chah-nulth speaking First Nations, flourished on the lands and waters of their Ḥahuuƚi for thousands of years, and evolved a strong and unique culture and traditions. Anacla is located within the Ḥahuuƚi. In this way, Anacla provides a direct link to the culture and spirituality of the Nation.

There are many physical and other expressions of Huu-ay-aht in Anacla. Elders live in the community. Events are hosted here, including in the House of Huu-ay-aht. The Huu-ay-aht administration building is situated in upper Anacla. Kiix̣in – site of the ancient Huu-ay-aht capital - is located nearby. With respect to facilities, there is an expressed desire to have smaller-scale gathering rooms available for use by Huu-ay-aht families and other groups in Anacla. All are appreciative of the House of Huu-ay-aht facility, but feel that rooms which accommodate fewer people in a closer setting would be well-used.

RECREATION

Outdoor recreation opportunities are readily available in the Anacla area, based both on land and water. Ocean access via Pachena Bay and other locations, and forest trails, are examples of these opportunities. There are also various facilities in the community, notably the playground in lower Anacla and House of Huu-ay-aht in upper Anacla. Bamfield also offers access to recreation facilities for Huu-ay-aht Citizens, including a gymnasium in the school. There was previously a pool at the Hacas Inn motel, but it is no longer functional.

The pool's absence was noted by a number of Citizens during community engagement.

Citizens noted the need for additional recreation facilities to enhance the Anacla community and encourage more Citizens to move home. Specific examples included: a basketball court, smaller meeting / recreation room community spaces, and a swimming pool. The benefit of enhanced recreation to all ages and demographics in the community was recognized, with special emphasis placed on young people / teens in the 10 – 17 age range. Specifically, young people / teens engaged during the Panel's work noted the need for a safe, comfortable 'hang-out' spot with a pool table, big screen TV, internet connectivity and other teen-appropriate amenities.

SOCIAL INFRASTRUCTURE

As noted earlier in this report, readers are referred to the work of the Independent Social Services Panel to gain a full appreciation of current social services, including recommendations related to additional programs and facilities.

The Panel would like to highlight the facility recommendation by the Social Services Panel for a 'Day Centre' to provide a transition facility and programming for those coming out of residential treatment, as well as parent support, to be added in Anacla.

SUMMARY OF SOCIAL INFRASTRUCTURE GAP

Citizens living in Anacla or considering moving to Anacla have identified a variety of gaps in the social infrastructure and community services that are very real obstacles to moving home. Improvements in physical infrastructure, for example chip sealing the Port Alberni to Anacla road, could well close some of these gaps, such as making health services in Port Alberni much more accessible. Some obstacles may be less of a concern to some Citizens than others. For example, an employee in the Port Alberni government office who moves to Anacla will already have full time well paid employment.

#11

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should canvas Citizens during the recommended summer 2019 engagement to confirm that the Panel has identified the main social infrastructure barriers to relocation of families to the Ḥahuuƚi. As well, Huu-ay-aht should assess whether or not the operating costs associated with closing these social infrastructure gaps are factored into pending Fiscal Financing Agreement negotiations with Canada and BC.

6 Homes for Huu-ay-aht Citizens

Putting in place the legislation, policy and funding tools necessary to close the Huu-ay-aht housing and infrastructure gaps

PENDING PANEL WORK ON HOUSING AND INFRASTRUCTURE

Subject to further analysis, research, and citizen engagement, the Panel's order of magnitude capital cost estimate to service lots and close the housing and physical infrastructure gap is about $79 million.

These estimates will be updated by the Panel following further community and citizen engagement and research. Any required changes to Huu-ay-aht housing legislation and policy to support effectively and cost-efficiently close the housing and infrastructure gap will also be examined by the Panel.

In its final recommendations the Panel will take into consideration a variety of factors described in the balance of this section of the report. These include:

- an environmental scan of First Nation housing practices,
- provision of a housing navigator to support Citizens,
- independent housing governance,
- the existing Huu-ay-aht law legislation and policy framework related to housing,
- federal and provincial funding sources, and
- lessons learned from the pilot modular housing project.

Subject to further analysis, research and citizen engagement, a successful go forward plan is likely to have several key elements:

- management and oversight by a Huu-ay-aht Independent Housing Authority,
- a tripartite government cost sharing model sufficient to cover the capital and operating costs to achieve the 2033 goal,
- significant Huu-ay-aht commitment to securing federal and provincial funding,
- housing navigator to support Citizens no matter what their housing needs,
- a variety of rental housing options including market rent housing, affordable rental (lower rent but not subsidized) housing, and social (subsidized rent) housing,
- a variety of home ownership financing options including outright ownership, revolving mortgage fund, rent to own,
- investments in existing housing in Anacla to make housing sustainable and to support the addition of suites, and
- research on ways to reduce construction costs and still comply with BC Building Code.

ENVIRONMENTAL SCAN OF FIRST NATION HOUSING PRACTICES

The Panel decided to conduct an environmental scan of the 634 First Nations across Canada to provide context for best practices on current housing policy in Canada and to determine if any First Nations designed programs to attract members back to the community. The resulting report prepared by Brenda Norris is contained at Appendix F and we commend it to you.

Based on this environmental scan, the Panel offers the following observations which will guide further research and will be factored into the Final Report and recommendations.

BARRIERS

First Nations across Canada face numerous barriers to adequate sustainable housing, many of which the Panel is addressing in a Huu-ay-aht context:

- Affordability
- Location
- Services available
- Land and service availability
- Appropriate size and design
- Lack of proper housing governance and enforcement
- Rent collection
- Access to capital and finance
- Economic access
- Quality materials
- Quality builders
- Poor planning for maintenance (costs and implementation)

CONDITIONS REQUIRED FOR SUSTAINABLE HOUSING

Citizens on and off Huu-ay-aht Treaty lands raised housing issues that apply equally to First Nations across Canada. There are many factors that contribute to quality, affordable and sustainable housing – including the need for broader community sustainability and the quality of life Huu-ay-aht Citizens enjoy. Ultimately, Huu-ay-aht Citizens will place their families in whatever situation that will allow them to provide the best quality of life and best future for their children.

The environmental scan of First Nations lists examples of the issues other First Nations face and how they are being tackled – but ultimately it will be important for Huu-ay-aht people to lead with made-in- Huu-ay-aht solutions. Examples of issues that any housing program must tackle include:

Housing Governance Issues

- Independent housing oversight
- Appropriate procurement practices and expertise
- Fair intake process
- Ffair enforcement
- Trust in housing governance
- Community led policy development
- Short medium and long term planning (community plans)
- Measurement framework and process

Land Tenure and Management

- Appropriate size and tenure of land for housing

Housing Choices

- Range of options to reflect financial capacity and family demographics

Housing Design

- Culturally appropriate and green aspects contribute towards housing sustainability
- There are many examples including:

A. Seabird Island Demonstration Project - Canada Mortgage and Housing Corporation (CMHC), Indian and Northern Affairs Canada (INAC) and the Seabird Island First Nation developed an innovative sustainable community demonstration project which incorporates some of the leading construction technologies and design principles available while honouring traditional design elements.

B. Tiny homes construction in the Heiltsuk Nation - In 2016, under FPInnovations' Indigenous forest sector support program, a participatory housing pilot project was initiated with collaboration between the Heiltsuk First Nation, FPInnovations, and the University of British Columbia (UBC). The community-led, 384-sq foot 'tiny' home design was created with significant input from the Heiltsuk community. This particular home design is able to provide an independent living style to individuals, couples, and even young families within the Heiltsuk community.

C. Construction of the Metlakatla seniors' housing development The signature piece, one of two, is representative of Coast Tsimshian cedar hats.



Financing and Financial literacy
While innovative finance options are needed, Huu-ay-aht Citizens also need supports to plan for success.

Infrastructure

Access infrastructure required for housing for Citizens (water, sewer, electricity, internet)

BRINGING CITIZENS/MEMBERS HOME

The environmental scan did not produce very much information about First Nations who have succeeded in bringing members home – but there are some interesting initiatives for on and off reserve members. Examples include:

- Fort Nelson First Nation has put in their housing policy: "To increase the percentage of members that reside on the Fort Nelson First Nation reserve by making on-reserve housing the most economically attractive housing alternative for Nation Members through subsidies for home construction and rehabilitation".
- Animbiigoo Zaagi'igan Anishinaabek First Nation is developing a comprehensive housing strategy and housing policy to encompass all housing options for members who would like to move back to the reserve.
- Curve Lake First Nation supports full range of home ownership options as well as rental housing but also helps members wanting safe housing on and off reserve.

CONCLUSION

Across Canada First Nations have identified moving from dependency to self-reliance as a key objective. The environment scan provides the Panel with helpful perspectives and examples on the way other First Nations are endeavouring to achieve this objective.

HOUSING NAVIGATOR

Citizens who participated in community engagement sessions or completed questionnaires overwhelmingly recommended that there be much more frequent and detailed communication with Citizens about housing and that the Huu-ay-aht government provide ongoing assistance to Huu-ay-aht Citizens to foster housing self-reliance and to help Citizens navigate housing processes.

The Panel agrees and recommends that the Huu-ay-aht government consider establishing a housing navigator position that provides Citizens with "one-stop shopping" assistance and workshops on housing questions, programs and processes. For example, help on:

- Home care and maintenance
- Understanding rural living on Treaty land
- Citizen financial budgeting, planning, capacity and independence
- Homeowners programs and group support
- Financial assistance from the Nation
- Expectation of renters and landlords
- Huu-ay-aht housing policies, plans and processes
- Applications to borrow funds for housing and assignments of residential leases

#12

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should immediately establish a full-time housing navigator position to provide comprehensive help and assistance to Huu-ay-aht Citizens on all aspects of housing.

HOUSING GOVERNANCE

Effective housing governance is a critical element of successful indigenous and non-indigenous housing programs across Canada.

Housing planning, funding, financing, and management are challenging, complex and fundamentally critical components of a healthy community. Various indigenous housing governance models exist across Canada with varying degrees of success. The lack of independence (non-arm's length)

between Executive Council, staff, and the Citizens of the First Nation is the primary challenge with most indigenous housing models. Often and incorrectly, many First Nation communities attempt to manage the lack of independence through a Housing Department or Housing Committee.

A solution with demonstrated success is the establishment of an Independent Housing Authority (subject to model chosen) that supports the goals and objectives of the First Nation. It will be important to ensure that the model chosen balances the business and community needs while remaining independent to ensure there is no interference with the core functions of ensuring Huu-ay-aht has a viable housing plan. Huu-ay-aht's legislation and regulations establishing the Housing Authority can set out Huu-ay-aht expectations about the ongoing relationship.

INDEPENDENT HOUSING AUTHORITIES

Several different housing authority models are defined and compared in the Assembly of First Nations' report: *Housing Authority Models – First Nation Models: Comparative Report* (May 2012), included in Appendix H. For the purposes of this interim report, the focus will be on the Housing Authority as an Independent Third-Party Non-Profit Corporation/Society (Nations, 2012) model, included in Appendix H.

A *Housing Authority* is defined as an arm's length housing management body that may or may not be incorporated, that manages, administers or operates housing on behalf of owners that can include the Chief and Council of a First Nation (Association, 2018, included in Appendix H).

A housing authority as an independent third-party non-profit society, or "IHA", removes all governance, and responsibility for the administration of the First Nation's housing portfolio from Executive Council, and entrusts it to an autonomous legal entity, governed and administered by a non-profit society. Executive Council delegates its authority around governance and administration of all aspects of the Nation's housing portfolio (both current and future) to the IHA which is governed by an independent, volunteer board of directors with no political representation from the Nation. The IHA is still required to operate within the boundaries of all applicable First Nation legislation but Executive Council has no decision-making authority over the IHA.

Further, delegation to the IHA should include the roles of housing developer and property manager which will strategically align the motivations of the IHA with that of First Nation's with respect to its goals and objectives around safe, affordable and attainable housing for its Citizens. This would establish the activities of acquiring and/or developing housing and the planning, creation of housing policies, administration and property management within the same entity which supports the sustainability of the housing programs within the IHA.

The IHA concept is essentially modelled after the non-profit and co-op community housing sector. In BC, over 600 non-profit housing providers manage more than 60,000 homes in over 2,500 buildings for the BC citizens. These organizations are delegated the responsibility through contractual agreements (Operating and Operator Agreements) and are governed by volunteer boards which provide governance and operational oversight through the support by various government agencies including, but not limited to BC Housing, CMHC, and Health Authorities throughout BC.

HOUSING DEPARTMENTS VS. HOUSING COMMITTEES VS. THE INDEPENDENT HOUSING AUTHORITY (IHA)

Housing departments and housing committees constituted by the First Nation are not at arm's length and therefore lack autonomy from Executive Council decision-making. Further, they do not have the authority to access capital independently. An IHA can access capital to finance new construction, renovations, repairs and upgrades without encumbering the First Nation, although the First Nation may financially support initiatives developed by the IHA where it aligns with the First Nation objectives.

INDEPENDENT HOUSING AUTHORITY ROLES

The roles of an IHA can include full responsibility for all aspects of housing from planning, policy and procedure development and implementation, property development (housing development), housing management (property management) and asset management.

Property planning and development would include all activities to understand and develop needs and demands for the community which would be used to source funding for all aspects of housing development including construction financing, take-out mortgage financing, capital improvement, capital renewal, energy retrofit and capital replacement (replacement reserves).

Housing and asset management include the following roles and responsibilities:

- Property management
  - Waitlist

- Selection
- Move In
- Security deposit management
- Rent collection
- Maintenance
- Tenant management
- Move Out

- Asset management
  - Capital asset planning
  - Modernization and improvement
  - Replacement reserve planning and management

Sample point systems, which form part of the property management process, can be found in Appendix G.

INDEPENDENT HOUSING AUTHORITY ADVANTAGES

With the shifting of responsibility to an IHA, the First Nations' direct governance and administrative involvement in housing ceases. No longer is the Nation engaged and responsible for the ongoing governance, administration and management.

Housing liability (debt financing) is transferred to the IHA for new builds, and capital projects which allows the Nation to focus its leveraging efforts on other initiatives and objectives including business, infrastructure and economic development, health, education, recreation and social development. It also provides greater flexibility so that sustainable housing solutions with a focus on longer-term (beyond political cycles of Executive Council) planning can be achieved.

Many new provincial housing programs and funding opportunities require bylaws which typically conflict with the Constitution and legislation of a First Nation while an IHA, as a non-profit society under provincial legislation has a constitution and bylaws that are aligned with the province's requirements allowing for direct application and funding arrangements.

ACCOUNTABILITY AND OVERSIGHT

The First Nation through its Executive Council would enter into an agreement with the IHA which would include various provisions and requirements regarding the activities, roles, responsibilities, obligations, reporting requirements, adherence to standards, regulations and governing legislation, reporting on financial performance, and an annual audit.

IHA activities would be governed by the agreement developed with input from Executive Council, a Community Circle (described below) and the Housing Authority. That agreement would identify the scope of activities, the governing policies and procedures, and remedies for infractions. It would include the scope of property development, property management and asset management so that the parties to the agreement understand the extent of IHA activities.

IHA accountability is accomplished through the non-profit society's Constitution and bylaws, as well as provincial guidelines and regulations. The relationship between the IHA and Citizens is directly governed by the *BC Residential Tenancy Act*.

COMMUNITY INVOLVEMENT

The use of a Community Circle (or similar process) which is composed of community representatives who advise the IHA on matters specific to the community, including:

- housing need which could include direction on housing policy and procedure,
- new construction, modernization and improvements projects,
- rental vs. homeownership tenures, and
- housing type (family, Elder, supportive, assisted living, residential care).

The Circle would not have governance authority but it is critical to the successful implementation and operation of the housing portfolio. The Community Circle provides Citizens with an opportunity and space to present their ideas, concerns and issues.

CITIZEN IMPACT

An IHA is governed and regulated by well-known, established and matured processes and regulations (*Residential Tenancy Act* for example) which insures the rights of the Citizens as tenants and the obligations of the IHA as landlord. The involvement and interaction ***should not*** be materially different than what ***should already*** be occurring between the Citizens and a First Nation's housing department. Differences will be experienced on issues where conflict of interest and where a lack

of independence exists in the current housing department model. The IHA will be required to manage according to agreed upon contractual requirements, regulation and legislation which cannot be influenced or interfered with through political channels because of the autonomy and independence of the IHA.

Citizens would experience fair, consistent, transparent, objective, independent dealings which are grounded in agreed-to policy, procedures, regulations, and legislation.

NATION IMPACT

Upon successful implementation of an IHA, the First Nation will see itself free of conflict with its Citizens as it relates to housing which allows it to focus its energies, efforts and resources towards the goals and objectives supported by the Citizens. The Nation then relies on the IHA to achieve its goals and objectives around the housing needs of its Citizens.

IHA SUMMARY

An IHA receives the delegated authority from the First Nation for all issues related to the development and management of all social and affordable housing, including market housing, on behalf of the Nation freeing Executive Council from the responsibility and the conflict which inherently occurs when the governors are unable to act independently of its Citizens. The establishment of an IHA moves the Nation's housing portfolio development and management into a realm where political involvement and interference are removed.

It shifts responsibility to an organization that is specifically constituted to own and operate affordable and social housing, which has the internal capacity, resources and experience, and where the governance is regulated through the well-established BC Societies Act. This generally results in better social and affordable housing outcomes for a First Nation's Citizens.

> *"Implementing a Housing Authority is an option for First Nations communities who wish to improve their housing management services and seek additional resources to bring their housing stock up to a housing standard. Housing Authorities are for leaders who have a vision to improve housing conditions for their members (Citizens) and who are willing to move housing functions to an independent organization" (Association, 2018).*

The Panel supports an independent housing authority approach and seeks feedback from the Huu-ay-aht government and its Citizens on this model. Importantly, Huu-ay-aht legislation already contemplates an Independent Housing Authority.

The Panel will be reaching out to provincial and federal funding partners to determine any implications the choice of governance model may have on funding accessibility for housing, as well as specific attributes of an IHA that will facilitate funding from the provincial and federal governments and their agencies, including CMHC.
Additional information on housing authorities is contained at Appendix H.

- Housing Authority Models – First Nation Models: Comparative Report – Assembly of First Nations – May 2012

#13

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should maintain Huu-ay-aht legislation which already provides for an Independent Housing Authority. Huu-ay-aht should canvas Citizens during the recommended Summer 2019 engagement process to identify any questions or concerns or recommendations Citizens have regarding the early establishment of an Independent Huu-ay-aht Housing Authority, including establishment of a Huu-ay-aht Citizen advisory body to the Independent Housing Authority.

- Housing Authority Models – Model Five – Housing Authority as Independent Third Party Non-Profit Corporate Entity – Assembly of First Nations – May 2012
- Everything You Ever Wanted to Know About Housing Authorities and to Establish One in First Nations Communities – First Nations National Building Officers Association – March 24, 2018

CURRENT HUU-AY-AHT HOUSING LAW, LEGISLATION AND POLICY FRAMEWORK

OVERVIEW

The Huu-ay-aht government has enacted a comprehensive suite of self-government laws (over 500 pages of legislation, regulations, and policies) in a manner consistent with the Maa-nulth First Nations Final Agreement (Huu-ay-aht Treaty or Treaty) and the Huu-ay-aht Constitution. This section of the Interim Report sets out those laws applicable to Huu-ay-aht housing.

In preparation for the Final Report, the Panel will be making a further review of these laws and identifying any changes required to support implementation of the Panel's final recommendations.

#14

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should focus the efforts of the proposed comprehensive community planning (CCP) process on specific community needs which arose from the results of this Independent Housing Panel work, particularly in the area of programming and operations for the various recreation, physical and social infrastructure proposed in this Panel report.

Given the breadth of this work and the comprehensive nature of the Panel's mandate, the Panel believes it would be premature, or may in fact unnecessarily duplicate work, to begin and comprehensive community planning process or amend Huu-ay-aht legislation in 2019.

TREATY PROVISIONS RELATED TO HOUSING

The Maa-nulth First Nations Final Agreement[5], to which Huu-ay-aht First Nations is a participant and signatory, was concluded in April 2011. This Agreement is referred to as the Huu-ay-aht Treaty or Treaty.

The Treaty establishes a comprehensive, constitutionally protected legal framework for Huu-ay-aht self-government. Of particular importance for the housing framework are four provisions:

1. Section 1.9.0 preserves the eligibility of the Huu-ay-aht government to participate in, or benefit from funding programs established by Canada or British Columbia. The Panel wishes to highlight this provision because it is only with support and funding from Canada and British Columbia that the housing gaps discussed elsewhere in this interim report can be closed.
2. Section 1.13.0 acknowledges that the Treaty provides a foundation for an ongoing relationship among Huu-ay-aht, Canada and BC (the Parties) including at least every 15 years a review of implementation of the Treaty. The Panel wishes to highlight this provision because it is one of a number of examples of Treaty provisions that demonstrate that the Parties intend that successful implementation of the Treaty is a shared responsibility.
3. The combination of Sections 13.12.0 and 13.14.0, with limited exceptions, provides the Huu-ay-aht government with:
    a. exclusive jurisdiction over the use, management, planning, zoning and development of Treaty Lands, and
    b. the power to make laws which trump federal and provincial law regarding the use, possession and management of assets owned by Huu-ay-aht on Treaty Lands.

The Panel wishes to highlight these provisions because the success of closing the housing gaps outlined in this report in a manner which is consistent with Huu-ay-aht self-government, Huu-ay-aht three sacred principles, and most importantly the wishes of Huu-ay-aht Citizens depends on being able to exercise exclusive jurisdiction and law-making authority in areas related to housing.

5. Maa-nulth First Nations Final Agreement: https://www.aadnc-aandc.gc.ca/DAM/.../mna_fa_mnafa_1335899212893_eng.pdf

4. Section 13.30.0 provides that the British Columbia Building Code applies with full force and effect to buildings and structures on Treaty Lands.

HUU-AY-AHT CONSTITUTION PROVISIONS RELATED TO HOUSING

The Huu-ay-aht Constitution[6] approved by Huu-ay-aht Citizens sets out the governance framework and rights, obligations and interests of Huu-ay-aht Citizens, many of which affect directly or indirectly the options open to Huu-ay-aht for a housing framework and law (legislation, regulations, and policies) that Huu-ay-aht may adopt.

The Panel wishes to highlight several provisions of the Constitution that guided the Panel's work:

1. Paragraph 1.4 of the Constitution which sets out the rights of Huu-ay-aht Citizens to be treated equally, and subject to reasonable limits includes the right:
   - to be informed and consulted about Huu-ay-aht affairs,
   - to equal provision of Huu-ay-aht public services,
   - to a healthy life, environment and the equal provision of health care,
   - to participate in Huu-ay-aht culture and traditions, and
   - the freedom to pursue a livelihood on Treaty Lands.
2. Paragraph 1.5 of the Constitution which sets out the responsibilities of every Huu-ay-aht Citizen, including:
   - upholding and respecting the Constitution and Huu-ay-aht Laws, and
   - promoting a healthy and vibrant community for all Citizens.
3. Chapter 4 of the Constitution which sets out the overall requirements for the Huu-ay-aht Land System and laws, the most fundamental of which is that Treaty Lands are and must always be collectively owned by all Huu-ay-aht. Outright sale of Treaty Lands is not an option unless approved in a Citizen referendum.
4. Chapter 5 of the Constitution sets out the overall requirements for Huu-ay-aht financial administration and accountability. Huu-ay-aht financial administration must ensure:
   - Effective and efficient use of Huu-ay-aht financial resources,
   - Openness and accountability, and
   - Huu-ay-aht Financial management standards are comparable to those generally accepted for governments in Canada.
5. Chapter 6 of the Constitution sets out in a summary way the overall requirements for Huu-ay-aht conduct. The Huu-ay-aht government must be administered to:
   - Adhere to the highest ethical standards,
   - Effectively and efficiently use Huu-ay-aht resources,
   - Provide services on an equitable and impartial basis, and
   - Respond in a timely and accessible manner.

HUU-AY-AHT HOUSING RELATED LEGISLATION

Huu-ay-aht housing related laws and some of their key provisions are as follows:

- ***Land Act*** – Sets the overall framework for management, protection, and granting of all land and resource interests in Treaty Lands. Interest must not exceed 99 years in order to preserve collective Treaty Land and resource ownership by Huu-ay-aht Citizens. Residential interests are registered in BC Land Title registry. Importantly, there are no restrictions on mortgaging a residential lease or the transfer of a residential lease to another person or entity; this facilitates bank mortgage of lease financing. A person must not occupy, possess or use Treaty Lands without authorization.
- ***Financial Administration Act*** – This Act sets out two categories of rental housing – market housing at market rental rates and social housing at rates subsidized by government. Rental housing must be owned and administered by a Huu-ay-aht public body or an independent not-for-profit entity. This does not prevent leaseholders renting out part or all of their house, subject to meeting any requirements under their land lease and Huu-ay-aht law. This Act required the enactment of regulations governing the granting of residential leases and other residential interests which has now been completed.
- ***Land Use Plan Regulation*** – The Land Use Plan Regulation is based on best practices and is equivalent to what is called a community plan by BC municipalities and other local governments. Similar to a community plan, the Huu-ay-aht Land Use Plan details land use goals, designations, permissible land uses and development standards on Treaty Lands. Provision is also made for development permit areas. The Land Use Plan will need to be updated where

6. Huu-ay-aht First Nations Legislation: https://huuayaht.org/government/legislation/

appropriate to reflect those Panel recommendations adopted by the Huu-ay-aht government. For example, areas designated for residential use will need to be updated with more detail on boundaries. The Land Use Plan Regulation is also discussed in more detail in Appendix I.

- ***Zoning Regulation*** –The Zoning Regulation is based on best practices and is equivalent to what is termed a zoning bylaw by BC municipalities and other local governments. Similar to a zoning bylaw, the Huu-ay-aht Zoning Regulation zones Treaty Lands and sets out amongst other things permitted uses, number of buildings, types of buildings, setbacks, parking, businesses permitted, landscaping and fences, etc. for each zone. For example, there are limits on mobile homes. Currently there are three residential zones - single family, multi-family, and rural residential. The Zoning Regulation will need to be updated where appropriate to reflect those Panel recommendations adopted by the Huu-ay-aht government. The Zoning Regulation is discussed in more detail in Appendix I.
- ***Development and Building Permits Regulation*** – This regulation is procedural in nature and sets out the process for an interest holder, including a holder of a residential lease or interest, to apply for an amendment to a land use plan, zoning regulation, subdivision servicing regulation, development permit, variance, subdivision approval or building permit and the applicable fees. These processes and procedures are modeled on those required by local government in BC. Importantly, the Treaty requires that the BC Building Code applies to building and structures on Treaty Lands. Other BC laws also apply on Treaty Lands such as Health Act requirements regarding septic waste disposal.
- ***Residential Lease Regulation*** – The residential lease regulation is comprehensive and is intended to establish a fair and effective system for the grant of residential leases and other residential interests in Treaty Lands.

When the Residential Lease Regulation was developed it was anticipated that the Huu-ay-aht government would make a number of residential lots available each year beginning in 2014 primarily to Huu-ay-aht Citizens. This did not happen. As it turns out, it is likely that 2020 will be the first year during which this regulation or an amended version of this regulation is applied to residential lots becoming available on Treaty Lands.

The task of developing recommendations for Executive Council for a residential lot plan for the upcoming year is assigned to the Citizen Development Committee which must complete its work by September 30th each year. The Committee is required to consult with, amongst others, Huu-ay-aht Citizens and provide recommendations on the number, location, infrastructure, operating cost, cost recovery options, mix rental and non-rental housing, lease terms and conditions, etc. regarding upcoming residential lots. In short, the Committee is charged with recommending a comprehensive and thorough residential lot plan for consideration of the Executive Council. Note that the Panel may recommend changes to this regulatory framework in its Final Report.

It is important to note that as part of an application to the Director of Lands and Resources for a residential lot, the applicant needs to meet the eligibility criteria in the regulation including that

- The applicant has the financial capacity to fulfill the terms of the residential lease including construction of a residence compliant with the BC Building Code,
- The applicant is prepared to execute a residential lease within a reasonable time frame and comply with its terms,[7]
- Provide other information reasonably required by the Director, and
- Pay a non-refundable fee of $500 and a down payment on the rent payable on the lease if there is land rent.

This process is designed to enable the Director to assure him or herself that the applicant is serious, and will, if given a lot by Huu-ay-aht Citizens (who collectively own the land), construct a residence and live in the community, all the while without setting specific “one size fits all” tests for applications.

If there is more than one qualified applicant for a particular residential lot, then the Speaker of the Legislature along with two trusted and respected Huu-ay-aht Citizens will hold a draw to decide who will receive the residential land lease entitling that person to construct a residence on that lot.

- ***Social (Rental) Housing Regulation*** – The Social Housing Regulation is intended to establish a fair and effective framework to provide quality, affordable housing to Huu-ay-aht Citizens in need. This regulation covers items such as:
  - Eligibility criteria and process to apply for social housing
  - Provision for a social housing list
  - Tenant selection point system for social housing

7. Huu-ay-aht First Nations Legislation: https://huuayaht.org/government/legislation/

- Rent calculation
- Huu-ay-aht responsibilities
- Tenant responsibilities
- Termination
- Service and maintenance requests

It is important to note that implementation as recommended by the Panel of the IHA with the scope of responsibility set out above would likely make it appropriate to repeal this regulation.

Market (Rental) Housing Regulation – The Financial Administration Act provides for the development of this regulation, although this regulation has not as of yet been enacted.

CANADA AND BC HOUSING CAPITAL AND TRAINING FUNDING PROGRAMS

Huu-ay-aht's success in closing the housing and infrastructure gap will depend on timely access to federal and provincial funding sources to supplement Huu-ay-aht financial resources. Huu-ay-aht does not have the financial resources to go it alone.

In order to assist the Huu-ay-aht government, the Panel prepared an inventory of

a. housing/infrastructure/capacity funding sources, and

b. training and mentoring programs.

Housing/Infrastructure/Capacity Funding Sources

Funding programs and opportunities are provided through various levels of government (and other agencies) which are accessible to Huu-ay-aht. Many of these funding programs are aimed at "On-Reserve" (or "On Treaty Land") communities while others are not limited to this requirement. Additionally, these can be focused on new construction, renovation, or infrastructure-related to both rental and ownership models. Understanding what these sources are, how they could support the initiatives of Huu-ay-aht and how they are accessed is critical to ensuring Huu-ay-aht achieves its housing goals.

Program Funding Inventory

The Inventory of Program Funding of housing, infrastructure and capacity building programs located at Appendix J provides information covering the following:

- Funding type: *funds are geared towards housing, infrastructure or capacity building*
- Funding jurisdiction: *federal, provincial, other*
- Funder: *the agency, for example ISC, CMHC, BC Housing*
- Activity: *what the funds/program supports, for example new construction, renovation, capacity building*
- Program name: *the name of the program*
- Program description: *high level description of the program*
- Funding timeline: *date, years, timelines for application*
- Eligibility/criteria: *high level eligibility & criteria which must be met*
- Funding level: *amount of financial support to the activities*
- Link: *website location for more information*
- Notes: *other relevant, useful information to better understand applicability*

The inventory is colour coded to indicate the applicability to supporting the initiatives (and timelines) of Huu-ay-aht as it relates to housing, infrastructure which supports housing development, and capacity building in support of housing development and management.

Funding Opportunity Realities

Although there are countless different funding programs and supports, often the applicability in supporting Huu-ay-aht's objectives is a much smaller subset. Understanding how to leverage these funding programs and opportunities with the commitments of Huu-ay-aht is critical to success and many are very complex, time consuming and require more effort than the resulting benefits will provide. It is important and prudent to carefully analyze which programs are best suited to support the Huu-ay-aht goals and to concentrate accordingly.

TRAINING AND MENTORING PROGRAMS

Huu-ay-aht, through its initiatives to support its goals around affordable housing, will likely wish to build the capacity of its staff and Citizens in the areas of housing operations, management and landlord-tenant relations. Programs that teach these fundamentals are available and would provide valuable training and experience and increase the success for Huu-ay-aht.

TRAINING AND MENTORING PROGRAMS

The Inventory of Training and Mentoring Programs is described in Appendix K, with specific programs available to Huu-ay-aht included in the listing in Appendix J. This listing covers the following items:

- Course provider: *educational institution/organization*
- Course name: *name of program or course*
- Cost: *program cost*
- Location: *physical location of the program offering or on-line option*
- Duration: *length of program under typical learning conditions*
- Certification: *which certification (if any) is achieved upon successful completion*
- Link: *website location for more information*

Training and Mentoring programs aimed at social and affordable housing are often focused on landlord and tenant activities.

#15

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should begin locating the internal and external resources and determining the best division of labour between them to cost-efficiently design, develop and implement an effective, comprehensive housing, infrastructure, and capacity funding application strategy and plan which reflects the emerging priorities of the Huu-ay-aht government and the most current information on funding sources.

#16

PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should begin locating the internal and external resources and determining the best division of labour between them to cost-efficiently design, develop and implement an effective, comprehensive training and mentoring application strategy and plan which reflects the emerging priorities of the Huu-ay-aht government and the most current information on funding sources.

THE HUU-AY-AHT PILOT MODULAR RENTAL HOUSING PROJECT

Huu-ay-aht, like so many other communities in BC and Canada, is suffering from an affordable rental housing crisis. Although multiple levels of federal and provincial governments are now making efforts to address this crisis, its existence is the result of decades of insufficient management and investment in affordable housing. The dizzying escalations in land costs, development costs, and the associated values of residential real estate, both in the ownership and rental markets, has further exacerbated the situation. The impact is felt even more in indigenous communities across Canada, including Huu-ay-aht.

To begin addressing this crisis, Huu-ay-aht Executive Council approved a pilot project allowing for the development of a small, likely 6-unit, affordable housing project using modular housing methods.

Originally, the strategy was to develop a housing proposal which would be aimed at securing construction and take-out (mortgage) financing through BC Housing's CPI Program (Community Partnerships Initiative), however due to the urgency of addressing the lack of housing, the decision was made to pursue the most cost-effective solution which could be fully funded by the Nation.

This pilot housing project will provide “affordable” rent at a set rental rate tied to the operating costs (economic rent) and is not provided on a Rent Geared to Income (RGI) basis as the project will not receive any level of on-going operating or rent subsidy either to the Nation or to the renter households.

THE PROJECT

M’akola Development Services Society (MDS), a not-for-profit Indigenous Affordable Housing Development Consultant and Project Manager, has been contracted to develop a modular housing solution to provide approximately 6 homes to be located on Nookemus Road in the Upper Anacla Community. Huu-ay-aht will provide a suitable, serviced site to accommodate the development at no cost. Executive Council provided its approval and direction on the makeup (size, specification, typology) of the housing units and authorized the Huu-ay-aht administration to carry out this pilot project.

MDS is carrying out full due diligence of the site and services in consultation with Huu-ay-aht and external consultants. MDS is also developing the initial design, specifications, assumptions, schedule, capital and operating budgets. Community input has been incorporated into the initial design and specification development to ensure its suitability and livability for the Community.

Upon final approval, Huu-ay-aht will enter into a fixed-price contract with MDS to complete the project to the agreed upon budget, schedule and specifications. A further component of the housing project will be the ongoing operations.

OPERATIONS

M’akola Housing Society (MHS), a not-for-profit, registered charitable social and affordable housing owner and property manager, has provided high level conceptual property management input into the project thus far and will likely perform the on-going property management through a contracted property management operator agreement and/or to provide mentoring and capacity building for self-management by Huu-ay-aht. Huu-ay-aht could also perform these services, subject to capacity.
The operations phase of the housing project will be critical

in its continued success and service to the community. Significant resources and capacity are required to perform the full property management, operating and asset management necessary. At a minimum, a complete Operations Manual (a sample Table of Contents, which includes the elements of an Operations Manual, can be found in Appendix H) will be put in place, and monitored for its application and use.

The Panel believes this pilot project offers a helpful opportunity for Huu-ay-aht, M’akola, and the Panel to share current information and pilot test approaches to decision-making and project implementation in a number of areas including:

- infrastructure – site, servicing;
- unit costs;
- division (if any) between social housing & affordable housing units;
- unit size;
- allocation (point score);
- schedule/timeline;
- specifications;
- design;
- layout;
- form and character (colours, finishes);
- rent calculation methodology and set rates (rates based on number of bedrooms for example);
- property management solution.

7 Conclusion

This interim report provides Huu-ay-aht Citizens, the Huu-ay-aht government, and our federal and provincial partners with a summary of the Panel's work to date based on the principles set out. The Panel outlines its developing consensus and makes 17 interim recommendations for consideration. Areas requiring further research to solidify the Panel's final recommendations are highlighted.

We look forward to feedback on our Interim Report as we work toward completing our Final Report and recommendations.

By all working together, Huu-ay-aht families will soon be able to return to the Ḥahuuƚi and live in quality affordable homes.

#17
PANEL INTERIM REPORT RECOMMENDATION

Huu-ay-aht should continue to use this modular housing pilot project as a helpful opportunity to collaborate and share information with the Panel and M'akola in order to explore best practices with respect to housing development, operations and management on Treaty Lands.





Appendix

Interview with Robert Dennis Sr.

History of Housing in Huu-ay-aht

Interview with Chief Councillor Robert Dennis (interviewer: An Vu)

May 9th, 2019

Note: this transcribed interview is only an excerpt which has been edited for content, brevity and clarity.

Transcription

ROBERT: First off my name is Robert Dennis and I'll speak in English today and where I need to I'll use Huu-ay-aht words. I was born in Dodgers Cove, that's a place called Čap?is in our language. And I was born there in 1947, born to very beautiful woman who unfortunately died when I was only three years old. So I got to live a life of moving around quite a bit. Family to family. I didn't grow up with one family. So that exposed me to different periods in our territory, different relatives and Ucluelet and in Port Alberni. In this photo you can see there's a number of houses. There were houses on this side of Čap?is side and there was also houses on the other side of Dodgers Cove. Čap?is is on the west side and ?aa?atsuwis is on the east side of Dodgers Cove. I would say there was roughly 35 to 44 and 40 houses there.

AN: And how many people?

ROBERT: You're probably looking at an average of five sometimes anywhere from probably anywhere from 200 to 300 cause I mean like in, in our house alone there would have been six of us. And I think we were one of the smaller families, families were bigger back then.

I think it was quite normal to hear families that had, you know, 10 or 12 kids. You look at the Nookemus family, they're quite large - 12 of them. Our family, the Dennis family, my dad's family, they are quite large, my Auntie had 12 kids. My Dad had 12 altogether.

ROBERT: We lived there and what I know about those houses is that was our summer village, summer fishing and fishing season with usually from April to October. So our people went out to the Dodgers Cove because it's shorter to the fishing grounds. So if you're going by boat, you're adding another hour and a half travel time to get to the fishing grounds. Back then you're looking at boats were maybe going four or five knots. They weren't, they weren't as fast as they are today.

AN: So where was that, where you just pointed?

ROBERT: that's a Sarita, Kuḥswiis. We lived right there.

ROBERT: So that was the reason people lived at Dodgers Cove. It was a fishing village and gave us quick access to the fishing grounds. And the other thing was there were two fish weirs to be in here or our people could fish during the day, come in at night, that was the reason that we lived there. And so there, there would have been, like I said, 35 to 40 homes there. Then #9 (Indian Reserve #9) is right here. There were probably six to 10 houses there. And then Grappler Creek. Probably about 10 there too. And then my time in the earlier days or would it be more uh, than Kuḥswiis right here. I think we caught 13 one day and then Nuumaqamis, that was the big one. That's, let me see. Let me go here. It'd be right here. Yeah, that was the #1 reserve. That was historically where most of our people lived - at one time it was estimated there were even a thousand people there.

AN: All Huu-ay-aht citizens?

ROBERT: Yep. And that would've been when the explorers came around, they were writing about the different villages that they came into. And they said this village had a one mile frontage and would probably would thousand people there. The estimated population of our people is anywhere from 2 to 6,000. Chief Louis, who was a Huu-ay-aht elder born in 1881 said that in his oral accounts that there were 2,000 only counting the men. So if you went to see that he had an average family size of 5. So then there, then you just 4 times, then you're looking at anywhere from 6 to 8,000 people and that's pretty close to what the ethnographers say. So, then what I do know is that we had, by our traditional use studies, we've identified 53 different village sites. In other words, that's where people live. I'm quite aware of.

ROBERT: We lived all over the territory, first of all, because we're marine people, so we're, we're always after different, uh, you know, the salmon, the seal, you different sea mammals like mink and all that for your, for trading, that kind of stuff.

ROBERT: So there was a reason that we were scattered all over. My grandfather, said that he grew up, and lived at, three places of his own where he at three houses. Then when he went up to Nuumaqamis his father had a house there. So that was our normal. He said we all had houses depending where we're going for our food. So summer time we're out here is all the salmon in here. And then fall and winter come salmon, migrate up the rivers. We migrate with the fish. Oh, by the way, all these houses were built by our own people. They build their own houses.

AN: so what you're telling me people used to live everywhere. Yeah. And then during your childhood, where were the main communities?

ROBERT: the main ones were the first ones I mentioned. Yeah. So Dodgers Cove, #9, Grappler, Nuumaqamis and Kuḥswiis. Yeah, those were the main ones. There was a family living out at Anacla. Alec Williams said they lived out here until the early 1900's. Those are the ones that I'm aware of. Oh yeah, plus over here - because I remember we lived there for a little while - they call it Robert's Passage (points at map).

AN: so how long did you live there for?

ROBERT: Well I don't know that was only when I was out of school. The reason for that, was federal policy. When you read Canadian history, you pick up letters from, from political leaders of the day, you know, writing that we got to take the Indian out of the child, and to take the Indian on the child, we gotta establish residential schools. You've removed them from their own lands so that are no longer practicing their customs.

ROBERT: And, to make it work they said, any person who violates that, we'll send them to jail. So in other words, if my father didn't send me to school and they found out about it, he would get jail for breaking the law. Which was that the law that was established at that time was that we're going to send all Indian kids to residential school so we can take the Indian out of the child. And also remove them from using their land and their resources.

ROBERT: So if they are kept from their own practices they can't learn them, and that was the objective of the federal government. It's a sad history. When you find all the documents with what these people to what extreme they went, it was a racist legislation at its worst. That's why I, in my younger days especially, I had a lot of hostility, anger towards white people because as I was concerned, they were the ones that did this to me. They were the ones that removed me from my family. They were the ones that said you can't speak your language anymore. They were the ones that said, you know, you can't fish in areas that you normally use to fish. So they introduced laws that like say for example, we always fished in the river, so they introduced laws, they said it was illegal to fish in the rivers and then they would draw lines and then like at Sarita Bay, you're not allowed to fish inside certain lines, if you do, you're breaking the law. But our people always fished inside those lines.

ROBERT: See that's what I mean by any federal policy, they were doing everything to prevent us from using our resources. And part of our resources was going to enter the forest to get the wood that we needed for our housing. And if you look at some of them, old housing, I mean there were so portable that Alec Williams talked about that they would construct these with, with floors and post, but the exterior walls can be removed and used at another place, that exact same foundation or, housing posts. So they would take the boards, you'd have two big canoes, put the boards across the board to wherever their summer village was and put up, put up their house. The wood that they used were thick cedar boards. By today's standards if you had to pay for that same board it would be a lot, back then it would cost you zero because it was your right to go get it in the woods and then now, today even to buy, to build a house.

ROBERT: So that's, that's the huge difference. Huge difference was that our people before could just use the natural resources in our land and build their housing and use whatever they want. So for example, mattresses are made out of cedar bark and when you would need to know how to treat cedar bark, you can actually make a really soft mat. It's quite a talent, they used to have the tools to, to make the, soften the cedar and then almost powdery. And then of course, you know, bear skin for your mattress also or for your cover.

ROBERT: So, so I mean, you know, it was all there. I mean, uh, you know, we had, we had access to all the resources in our territory to live off it, but does as you know the federal policy was that they wanted these resources for themselves so that the settlers can, can benefit economically, but in order to do that, they had to remove us from the land. And so that's, that was the whole, the whole concept

of colonization. Uh, it had a severe impact on, on a lot of us, myself included.

.....

AN: You speak to how now most people live in lower Anacla and how that's shifted. When that happened?

ROBERT: that shift happened in the late 1960's. The first house went up there in 1969. So anywhere from 1967, 1968, the government of Canada, and I remember Bruce Scott, the prominent citizen in Bamfield, was lobbying for the establishment of the Pacific Rim National Park. And he lobbied successfully along with him and other people in the area and um, and they got the park established, but they had a motive. There motive was that some of their land was within the proposed park area. So their motive was to make a real estate deal.

ROBERT: and then when they established the park, IR12 as it was known there, the proposed park took that in. So it took in IR 12.

ROBERT: And the chief at that time, Aurther Peters, he said no, we don't want that to be part of the park, that's where our people lived. We have history there. The government of Canada at that time for Indians was introducing a policy that if you're developing your land for housing that it had to only be one area. We were scattered, people living here, people living there (all over Huu-ay-aht Territory).

ROBERT: And so if we say we want to install water in each of these places, the Department of Indian affairs was saying, no, we can only do one place, that's the policy. So the Chief at that time, Arthur Peters said, well let's develop IR 12.

ROBERT: So once we went there, we stopped that becoming part of the Pacific Rim park.

AN: So IR 12 is what we call Lower Anacla now?

ROBERT: ya, so this is all part of IR12.

AN: So all of Anacla is IR 12?

ROBERT: Yup. Former IR 12. So that is why we started building here. Over time it was a good move, but for infrastructure purposes it was challenging because when you go down there, that's all sand. If you were to dig down there, you would see sand, you would see sand that

deep. So that's why it's not a safe place to be - when that next tidal wave comes. So when water and sand mix and they sink, right. So that's what's going to make a dangerous for any of us you know, like when the tsunami becomes dangerous for us when it becomes high and deep in that area.

ROBERT: We're not going to be able to swim out of it and we're not going to be able to paddle out of it, we're going to sink. That's why it's dangerous.

ROBERT: So anyway, we, we decided you know, when I lived here for a while with my grandfather and then I remember having a tent down there and I couldn't build a house myself.

AN: In Lower Anacla?

ROBERT: Yeah, I did mine. I actually, it was nice and all I have to do to go in the river when I wanted to have a bath and that's what we did, there'd be a bunch of us in there, shampooing our hair, soap.

ROBERT: But that used to be normal practice for us, a lot of us used to go to the river, you know, see, part of our customs, our spirituality, is praying in the river. So in a lot of sense we were very clean people cause it's part of our spirituality is bathing every, every morning.

AN: Different links to the land, living at home.

ROBERT: you get in the river, you're doing it, you faced where the sun was, rising. You do your praying, cleanse your body - because that was the whole purpose, you're cleansing yourself with anything dirty outside of you.

AN: And so did all the homes, all the homes that we see today are the result of all the homes that got there in the 1960s? So did everyone move into that area?

ROBERT: well that was the only place that we would do any housing now. We would no longer build any housing at the other places. So everybody slowly started moving to Pachena. And I would say it probably took about, in my estimation around 15 to 20 years to get all people moved from Grappler, Kuḥswiis. Like I remember Alec WIlliams in Kuḥswiis was one of the last ones to leave and he probably left around 1975, 76.

—End of excerpt.

Appendix B

Community Engagement Materials

Huu-ay-aht Housing Survey: Sign-in Sheet

Full Name	Phone #	Where do you live?
Would you like to sign up for a one-on-one interview? ○ **Yes** ○ **No**	*Would you like to participate in a Focus Group?* ○ **Yes** ○ **No**	
Full Name	Phone #	Where do you live?
Would you like to sign up for a one-on-one interview? ○ **Yes** ○ **No**	*Would you like to participate in a Focus Group?* ○ **Yes** ○ **No**	
Full Name	Phone #	Where do you live?
Would you like to sign up for a one-on-one interview? ○ **Yes** ○ **No**	*Would you like to participate in a Focus Group?* ○ **Yes** ○ **No**	
Full Name	Phone #	Where do you live?
Would you like to sign up for a one-on-one interview? ○ **Yes** ○ **No**	*Would you like to participate in a Focus Group?* ○ **Yes** ○ **No**	
Full Name	Phone #	Where do you live?
Would you like to sign up for a one-on-one interview? ○ **Yes** ○ **No**	*Would you like to participate in a Focus Group?* ○ **Yes** ○ **No**	
Full Name	Phone #	Where do you live?
Would you like to sign up for a one-on-one interview? ○ **Yes** ○ **No**	*Would you like to participate in a Focus Group?* ○ **Yes** ○ **No**	
Full Name	Phone #	Where do you live?
Would you like to sign up for a one-on-one interview? ○ **Yes** ○ **No**	*Would you like to participate in a Focus Group?* ○ **Yes** ○ **No**	

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Huu-ay-aht Housing Survey: Sign-in Sheet

Huu-ay-aht's Independent Housing Panel wants to hear from you

Come attend one of the focus groups and let us know your thoughts on housing for Huu-ay-aht citizens



Dinner at Čitxʷaama Cixʷatin (Soaring Eagle) - April 15 at 6 p.m.
Elders lunch at Čitxʷaama Cixʷatin (Soaring Eagle) - April 16 at 12 p.m.
Dinner at Port Alberni Government Office - April 17 at 6 p.m.

More dates and locations to come

If you're interested and want to register, contact An Vu at anminhvu@gmail.com or call 250-723-0100 and say you are interested in the housing focus group

Huu-ay-aht's Independent Housing Panel wants to hear from you



Homes for our citizens

Are you a Huu-ay-aht citizen that is homeless?

The Independent Housing panel wants to reach as many citizens as possible to understand what makes a safe, healthy, appealing place to live.

Please contact An Vu at anminhvu@gmail.com or call 1-604-551-6797

Hiišimʔyuƛ
Getting Together

Join us at a location near you and receive more information about:

- Kwispaa LNG update
- 2019 Annual Budget
- Citizenship Act
- Housing Project - Homes for our Citizens

Doors open at 4:30 p.m.
Dinner will be served at 5 p.m., with discussion to follow

For more information contact the Port Alberni Government Office at 250-723-0100

Anacla
Government Office
April 2

Port Alberni
Best Western Barclay Hotel
April 3

Vancouver
Vancouver Aboriginal Friendship Centre
(1607 E Hastings St.)
April 4

Victoria
Quality Inn (850 Blanshard St.)
April 9

Nanaimo
The Coast Bastion Hotel
April 10

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Huu-ay-aht's Independent Housing Panel wants to hear from you

Come attend one of the focus groups and let us know your thoughts on housing for Huu-ay-aht citizens



Victoria

Hemmera Office - 1221 Broad Street, Victoria
April 22 at 12 p.m.

More dates and locations to come

If you're interested and want to register, contact An Vu at anminhvu@gmail.com or call 250-723-0100 and say you are interested in the housing focus group

Huu-ay-aht Housing Survey
Citizen Living At Home (Treaty Land)

1. **Full Name:**

2. **Phone #:** | 3. **Email:**

4. **Address:**

5. **Gender:** *Please circle* **female / male / non-binary** | 6. **Age Range:** *Please circle* **under 19 / 19-29 / 30-39 / 40-49 / 50-59 / 60-69 / 70-79 / 80-90 / 90+**

7.1 **What makes a home a safe, healthy and appealing place to live?**

7.2 **Does your home promote the feeling of safety?** ○ **Yes** ○ **No**
Please explain.

7.3 **Does your home promote the feeling of healthy?** ○ **Yes** ○ **No**
Please explain.

8.1 **Do you want to stay living on Treaty Land?** ○ **Yes** ○ **No**

8.2 **What do you like about living on Treaty Land?**

9.1 **What are the barriers / challenges to you staying on Treaty Land?**

9.2 **What do you see as the three main challenges to Treaty Land housing?**
1) *2)* *3)*

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10.1 **What would it take for you to stay and live on Treaty Land?**

10.2 **What are your thoughts and ideas about how to bring people back home? Provide three opportunities or solutions.**
1) *2)* *3)*

11. **What do you think housing assistance from the Nation should look like for citizens that want to take responsibility for constructing and maintaining their homes on Treaty Land?**

12. **What do you think housing assistance from the Nation should look like for citizens that cannot take on the responsibility of maintaining their homes due to aging or health challenges?**

13. **How can the Nation do a better job at physical integration of Upper and Lower Anacla communities?**

14.1 **Have you ever lived off of Treaty Land?** ○ **Yes** ○ **No** *(If 'yes', please continue below)*

14.2 **Where?**

14.3 **When and for how long?**

14.4 **What was the reason for you leaving?**

14.5 **What was your experience living off Treaty Land?**

14.6 **What facilities did you use?** *(circle + list below)* **community hall / playground / K-12 school / health centre / movie theatre**

14.7 **Why did you return to Treaty Land?**

15 **What community facilities do you think Anacla needs?**

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16.1 **What does housing affordability mean to you?**

16.2 **What percentage of a person's income should go to housing?**

17.1 **How would you rate your current living situation on a scale of 1–5?** **1 / 2 / 3 / 4 / 5**
Please circle—1 being poor and 5 being excellent

17.2 **If you ranked your current living situation anything other than excellent (5) - what would make your current living situation better (ex: things that need to be fixed or upgraded)?**

18. **What type of building do you live in now?** *Please select*
○ Detached house ○ Apartment (multi-story building) ○ Townhouse (side-by-side row-house)
○ Suite in a house ○ Mobile home/trailer ○ Other *(Explain:)*

19. **What is the square footage of your home or can you describe it (number of bathrooms, bedrooms, etc.)?**

20. **What best describes your current living arrangement on Treaty Land?** *Please select*
○ I rent social housing (subsidized rent) ○ I rent housing ○ I own housing
○ I live with my family ○ Other *(Explain:)*

21. **If you rent or own, how much do you pay a month?** *Please select and fill in appropriate spaces*
○ I rent. I pay $_____ a month. Do you split the rent with anyone? no / yes, *with whom?*_____
○ I own. My mortgage is $_____ a month. Do you split the mortgage with anyone? no / yes, *with whom?*_____
○ I do not pay rent or a mortgage
○ Other, *(Explain:)*

22. **How much money do you make a month after taxes?**

23. **How many people live in your household?** # of adults_____ # of children_____

24. **Where do you live on Treaty Land?** ○ Upper Anacla ○ Lower Anacla ○ Sarita ○ Other *(Explain:)*

25. **Are you on the waitlist for Treaty Land rental housing?** ○ no ○ yes, *how long have you been on the waitlist?*_____

26. **If you were to change your housing situation on Treaty Land what type of housing would you prefer to live in?** *Please select*
○ Detached house ○ Apartment (multi-story building)
○ Suite in a house ○ Townhouse (side-by-side row-house)
○ Mobile home/trailer ○ Other *(Explain:)*
○ I am not interested in changing my housing situation

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Continue of reverse side of page

27. **If you were to change your housing situation on Treaty Land, which of the following would you prefer?** *Please select*
○ I prefer to own (mortgage)
○ I prefer to rent
○ I already own on Treaty Land
○ Other *(Explain:)*
○ I am interested in changing my housing situation, but I do not want to pay rent or a mortgage
○ I am not interested in changing my housing situation

28. **Do you own land on Treaty Land?** *Please select*
○ No, I do not own on treaty land
○ Yes, I own on land that has access to hydro, water and sewer and would like to build my home on it
○ Yes, I own land that has access to hydro, water and sewer and it has a house on it
○ Yes, I own land but can't build because it does not have hydro, water or sewer

29. **If you were to change your housing situation on Treaty Land, would you be interested in renting in a "dry" (alcohol/drug free) housing?** *Please select*
○ Yes ○ No
○ I am not interested in changing my housing situation

30.1 **In the next 1- 5 years, if there was affordable housing options on Treaty Land, do you plan to:** *Please select*
○ Remain off Treaty Land
○ Move on to Treaty Land temporarily / seasonally
○ Not sure
○ Move on to Treaty Land and remain there

30.2 **In the next 5 - 10 years, if there was affordable housing options on Treaty Land, do you plan to:** *Please select*
○ Remain off Treaty Land
○ Move on to Treaty Land temporarily / seasonally
○ Not sure
○ Move on to Treaty Land and remain there

31. **Do you feel informed of the current Treaty Land housing options provided by Huu-ay- aht?** ○ Yes ○ No

32. **How do you want to be kept informed about Huu-ay-aht's housing policies and plans?** *Please select*
○ Website ○ Newsletter ○ Email
○ Other *(Explain:)*

33. **Is there anything else you would like us to know?** *Please explain:*

34. **Would you like your responses to be anonymous?** ○ Yes ○ No
We can collect your information anonymously; your responses will be included, but Huu-ay-aht Executive Council, staff and the Independent Housing Panel will not know that they are linked to you.

35. **Would you be interested in participating in a housing focus group?** ○ Yes ○ No ○ Maybe, depends of my availability

36. **Is it okay for us to follow-up with you for further information or clarification, including the possibility of using a quote from you?**
○ Yes ○ No
○ Maybe, depends on the quote

37. **Would you be open to having a photo or video of you taken for our report or short-video?** ○ Yes ○ No

END OF SURVEY
Please ensure no questions have been missed

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Thank you for participating

Huu-ay-aht First Nations Housing Project

Homes For Our Citizens

Independent Housing Panel Update – April 2019

PANEL MANDATE

The role of the independent housing panel is to build on Huu-ay-aht work and to review Huu-ay-aht land use, housing, and related policies, legislation and programs and recommend practical changes to ensure that our home (ḥahuułi) will be a safe, healthy, appealing place with a strong economy where half our people choose to live.

SAMPLE GUIDING PRINCIPLES FOR THE PANEL'S WORK

- Citizen engagement is a priority for the Housing Panel.
- The Panel's work will be guided by the three sacred principles
  - ***Hišuk ma ċawak*** (everything is one)
  - ***ʔuuƛaɬuk*** (taking care of future generations)
  - ***ʔiisaak*** (conducting ourselves honestly and respectfully)
- Affordable good quality housing is the core of a strong community.



SAMPLE QUESTIONS FOR CITIZEN ENGAGEMENT

- What makes a home a safe, healthy and appealing place to live?
- What does housing affordability mean to you?
- What do you see as the three main challenges to Treaty Land housing?
- What are three opportunities or solutions that could improve Treaty Land housing?
- What would it take for you to move and live in Anacla? What are your thoughts and ideas about how to bring people back home?
- What community facilities do you and your family use where you live now (ex: community hall, playground, K-12 school, health centre, etc.)? What community facilities does Anacla need?
- What are your short and long term housing needs (ex: rental, transition, low-income, pre-built, self-financed, etc.)?
- What are some housing barriers that Huu-ay-aht citizens face? What can be done to help decrease those barriers?

FOR MORE INFORMATION & TO LET US KNOW YOUR IDEAS ON HOUSING PLEASE CONTACT:

Independent Housing Panel Project Manger: An Vu | 604-551 -6797 | anminhvu@gmail.com

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Independent Housing Panel Update – April 2019

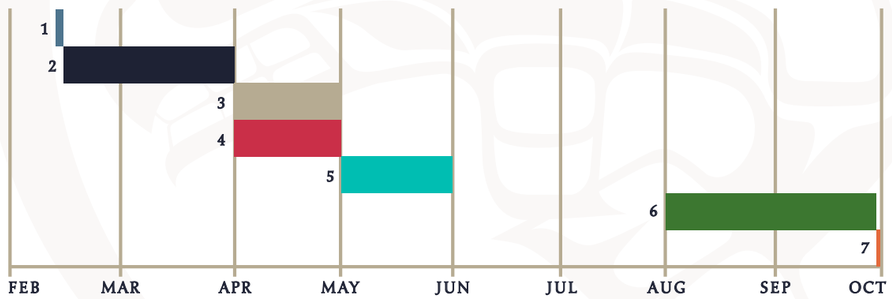
PROJECT WORK UPDATE

- Panel established and introduced at People's Assembly on February 9 and 10
- Preliminary research on housing programs, needs, challenges and opportunities
- Identification of early initiatives to pursue through partnership with BC Housing - second six-plex and Mother's Centre in Anacla
- Development of Community Engagement and Housing Survey plan
- Appraisal work to understand land values, before and after chip seal of road
- Ongoing research on housing best practices for consideration by the Panel
- Appointment of An Vu as project/logistics manager
- Initial consideration of housing options to ease immediate demand for housing in Anacla

NEXT STEPS — TIMING

1. Introduction of Panel to People's Assembly ..... February 9–10, 2019
2. Panel Initial Work and Update Report ..... February–March 2019
3. Community Engagement Meetings ..... April 2019
4. Survey of HFN Citizen Housing Needs ..... April 2019
5. Panel Draft Report ..... May 2019
6. Community Engagement Meetings ..... August–September 2019
7. Panel Final Report ..... September 2019

TIMETABLE



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Huu-ay-aht Housing Survey

Citizen Living Away From Home (Treaty Land)

1. **Full Name:**

2. **Phone #:** | 3. **Email:**

4. **Address:**

5. **Gender:** *Please circle* female / male / non-binary | 6. **Age Range:** *Please circle* under 19 / 19-29 / 30-39 / 40-49 / 50-59 / 60-69 / 70-79 / 80-90 / 90+

7.1 **What makes a home a safe, healthy and appealing place to live?**

7.2 **Does your home promote the feeling of safety?** ○ Yes ○ No
Please explain.

7.3 **Does your home promote the feeling of healthy?** ○ Yes ○ No
Please explain.

8.1 **What keeps you from moving to Treaty Land?**

8.2 **What do you see as the three main challenges to Treaty Land housing?**
1) *2)* *3)*

9.1 **What would it take for you to move and live on Treaty Land?**

9.2 **What are your thoughts and ideas about how to bring people back home? Provide three opportunities or solutions.**
1) *2)* *3)*

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10. **What do you think housing assistance from the Nation should look like for citizens that want to take responsibility for constructing and maintaining their homes on Treaty Land?**

11. **What do you think housing assistance from the Nation should look like for citizens that cannot take on the responsibility of maintaining their homes due to aging or health challenges?**

12. **How can the Nation do a better job at physical integration of Upper and Lower Anacla communities?**

13.1 **What city/town do you live in?**

13.2 **What is your experience living off Treaty Land?**

14. **What facilities do you and your family use?**
(circle + list more below) community hall / playground / K-12 school / health centre / movie theatre

15. **What community facilities do you think Anacla needs?**

16.1 **What does housing affordability mean to you?**

16.2 **What percentage of a person's income should go to housing?**

17.1 **How would you rate your current living situation on a scale of 1–5?** 1 / 2 / 3 / 4 / 5
Please circle—1 being poor and 5 being excellent

17.2 **If you ranked your current living situation anything other than excellent (5) - what would make your current living situation better (ex: things that need to be fixed or upgraded)?**

18. **What type of building do you live in now?** *Please select* ○ Detached house ○ Apartment (multi-story building) ○ Townhouse (side-by-side row-house) ○ Suite in a house ○ Mobile home/trailer ○ Other *(Explain:)*

19. **What is the square footage of your home or can you describe it (number of bathrooms, bedrooms, etc.)?**

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20. **What best describes your current living arrangement?** *Please select*
- ○ I rent social housing (subsidized rent)
- ○ I rent housing
- ○ I own housing
- ○ I live with my family
- ○ Other *(Explain:)*

21. **If you rent or own, how much do you pay a month?** *Please select and fill in appropriate spaces*
- ○ I rent. I pay $_____ a month. Do you split the rent with anyone? no / yes, *with whom?*_____
- ○ I own. My mortgage is $_____ a month. Do you split the mortgage with anyone? no / yes, *with whom?*_____
- ○ I do not pay rent or a mortgage
- ○ Other, *(Explain:)*

22. **How much money do you make a month after taxes?**

23. **How many people live in your household?** # of adults_____ # of children_____

24. **Why do you live off of Treaty Land?** *Please select*
- ○ I am attending school
- ○ My work is not on Treaty Land
- ○ I am on the waitlist for on Treaty Land rental housing
- ○ There is a lack of home ownership opportunities on Treaty Land
- ○ I prefer to live away from home (off Treaty Land)

25.1 **Have you ever lived on Treaty Land?** ○ Yes ○ No *(If 'yes', please continue below)*

25.2 **Where?**

25.3 **When and for how long?**

25.4 **What was the reason for you leaving?**

25.5 **What was your experience living on Treaty Land?**

26. **If you were to move to Treaty Land, where would you move?** ○ Upper Anacla ○ Lower Anacla ○ Sarita ○ Other_____

27. **If you were to move to Treaty Land, would you move back as a single person or with your family?** *Please select*
- ○ I would be moving back as a single person
- ○ I would be moving back with my family *If so, how many people?*_____
- ○ Not sure
- ○ I do not plan on moving to Treaty Land

28. **Are you on the waitlist for Treaty Land rental housing?** ○ No ○ Yes, *how long have you been on the waitlist?*_____

29. **If you were to change your housing situation on Treaty Land what type of housing would you prefer to live in?** *Please select*
- ○ Detached house
- ○ Apartment (multi-story building)
- ○ Suite in a house
- ○ Townhouse (side-by-side row-house)
- ○ Mobile home/trailer
- ○ Other *(Explain:)*
- ○ I do not plan on moving to Treaty Land

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Continue of reverse side of page

30. **If you were to move to Treaty Land, which of the following would you prefer?** *Please select*
- ○ I prefer to own (mortgage)
- ○ I already own on Treaty Land
- ○ I prefer to rent
- ○ I do not plan on moving to Treaty Land

31. **Do you own land on Treaty Land?** *Please select*
- ○ No, I do not own on treaty land
- ○ Yes, I own on land that has access to hydro, water and sewer and would like to build my home on it
- ○ Yes, I own land that has access to hydro, water and sewer and it has a house on it
- ○ Yes, I own land but can't build because it does not have hydro, water or sewer

32. **If you were to move to Treaty Land, would you be interested in renting in a "dry" (alcohol/drug free) housing?** *Please select*
- ○ Yes ○ No
- ○ I do not plan on moving to Treaty Land
- ○ Not interested in Treaty Land rental housing

33.1 **In the next 1- 5 years, if there was affordable housing options on Treaty Land, do you plan to:** *Please select*
- ○ Remain off Treaty Land
- ○ Move on to Treaty Land temporarily / seasonally
- ○ Not sure
- ○ Move on to Treaty Land and remain there

33.2 **In the next 5 - 10 years, if there was affordable housing options on Treaty Land, do you plan to:** *Please select*
- ○ Remain off Treaty Land
- ○ Move on to Treaty Land temporarily / seasonally
- ○ Not sure
- ○ Move on to Treaty Land and remain there

34. **Do you feel informed of the current Treaty Land housing options provided by Huu-ay- aht?** ○ Yes ○ No

35. **How do you want to be kept informed about Huu-ay-aht's housing policies and plans?** *Please select*
- ○ Website
- ○ Newsletter
- ○ Email
- ○ Other *(Explain:)*

36. **Is there anything else you would like us to know?** *Please explain:*

37. **Would you like your responses to be anonymous?** ○ Yes ○ No
We can collect your information anonymously; your responses will be included, but Huu-ay-aht Executive Council, staff and the Independent Housing Panel will not know that they are linked to you.

38. **Would you be interested in participating in a housing focus group?** ○ Yes ○ No ○ Maybe, depends of my availability

39. **Is it okay for us to follow-up with you for further information or clarification, including the possibility of using a quote from you?**
- ○ Yes
- ○ No
- ○ Maybe, depends on the quote

40. **Would you be open to having a photo or video of you taken for our report or short-video?** ○ Yes ○ No

END OF SURVEY
Please ensure no questions have been missed

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Thank you for participating

Housing Study: Huu-ay-aht Citizen Feedback and Responses

The Independent Housing Panel recognizes that Citizen engagement is a priority to support the understanding of challenges and opportunities that face Citizens when it comes to housing.

Citizens engaged where asked a series of questions. Those questions can be grouped into three general areas:

1) What are the strengths of living at Home (Ḥahuułi)?
2) What are the challenges of living at Home (Ḥahuułi)?
3) What makes a good home? How can we connect attributes of a safe, healthy and appealing home to the opportunities and changes for Ḥahuułi housing?

-

Question: What are the strengths to Ḥahuułi housing? What makes it appealing?

What we heard:

A Strong Sense of Community and Support

- Being surrounded by family, knowing support is near.
- Many opportunities to connect with family and other community members.
- The ability to turn to neighbours for help, because of the community's openness and and wiliness to provide support to each other.
- Comfort in knowing your neighbours.
- A stronger sense of safety compared to urban life. Children are able to roam and play on the streets.
- Home is where the heart is.

Quiet and Peaceful

- Less people, less activity, less noise.
- Slower - No hustle and bustle of urban life.

Ḥahuułi is Beautiful

- Free of air, noise and light pollution.
- Access to the outdoors and wilderness, including the beaches, being only minutes away.
- Storm watching activities.
- Access to wildlife such as birds, bears, deer, whales and fish.

Supports an "Outdoorsy" Active Lifestyle

- Ability to hunt, fish, harvest seafood, pick berries and medicine.
- Chopping and stacking wood for fuel.
- Outdoor recreational activities.
    - Camping.
    - Hiking.
    - Swimming and playing on the beach.

Cultural Connection to the Land and Home

- A strong sense of home and spiritual connection to the land and sea.
    - A place that supports physical, mental and spiritual wellness.
    - A place that spiritually cleansing and grounding occurs.
- Access to Elders and knowledge holders.
- A place to stay connected to the language.
- Practicing culture through the land.
    - Consuming healthy traditional food from the land and sea.
    - Harvesting cedar, grass, shells and beads for cultural crafting.

Question: What are the challenges and barriers to Ḥahuułi housing?

What we heard:

A Lack of Housing and Housing Options

- There is an inadequate supply of homes for Citizens that want to live in Ḥahuułi.
- The current housing stock has significantly aged and is not appealing.
- There are not enough housing options for all levels of income and phases of life, including:
    - Aging Elders
    - Families with 3 or more kids
    - Single young people looking to move out of their parent's home.
- There is a general lack of understanding of Ḥahuułi housing.
    - Not having a clear understanding of:
        - How the Housing List works. How are people chosen for housing and what does the process involve?
        - How does a Citizen build a house in Ḥahuułi? Where do they begin? How much is that land? How much money should they save? How do they get a mortgage?
        - Who is responsible for maintenance of homes in Ḥahuułi?

        - How much will property taxes cost?
        - If a Citizen already lives in Ḥahuuƚi and wants to move to a better house in Ḥahuuƚi, how can they do that?
        - What type of housing does the Nation provide? Are there rent-to-own options?
        - Can I sell my lot (lease) back to the Nation? Can I sell my home to a non-Huu-ay-aht Citizen? If so, how much is market value?
        - What is the direction the Nation will take in terms of residential development and planning?
- A lack of understanding and transparency with housing processes can provoke fear of nepotism, favourtism and create misguided resentment and distrust.

A Lack of Good Employment Opportunities

- There are not a lot of opportunities to:
    - Have a steady income year round. A lot of the work available in Ḥahuuƚi is temporary or seasonal.
    - Have full-time work. There is not enough full-time work in Ḥahuuƚi to support living in Ḥahuuƚi.
    - Have meaningful work. A lot of the work available in Ḥahuuƚi is entry level, with not a lot of opportunity for growth or development. If Citizens want to grow their career and "move up the ladder", Citizens have to move to Port Alberni or another city.
    - Have a higher paying wage. A living wage is not enough income to own a house and support a mortgage.
    - Have a variety of employment options. (Insert quote, swinging a hammer or office work)
- Huu-ay-aht Group of Businesses is disconnected to their staff and employees in Ḥahuuƚi.
    - Citizens in Ḥahuuƚi are the last to know about job opportunities.
    - Citizens in Ḥahuuƚi do not receive a fair opportunity at the jobs available.
    - Non-Huu-ay-aht Citizens are staffing jobs in Ḥahuuƚi when there are qualified unemployed Citizens available.
    - Work scheduling and planning is poor and provided with little notice, making it difficult for employees to organize childcare and schedule accordingly.
    - Lack of skilled management with work available in Ḥahuuƚi, impacts work satisfaction.

Inadequate Education Opportunities

- There are barriers to education in Ḥahuuƚi for Citizens of all ages.

- Citizens view the current elementary school in Bamfield as inadequate to provide Huu-ay-aht children with good education.
    - There are not enough teachers for the number students and range of ages.
    - There is not enough subject matter knowledge from teachers to support student learning to ensure their education levels matches their peers in urban centres.
- High school is not available for children in Ḥahuuƚi.
    - Families are faced with having to board their children in Port Alberni or move from Ḥahuuƚi.
    - On occasion families that cannot move to Port Alberni with their children are forced to board them in potentially unstable homes.
    - Going from elementary to high school can be a challenging transition for any child in their teenage years, however, children from Ḥahuuƚi are potentially faced with additional barriers, including lost of their familiar support system (not longer being around family), cultural shock (moving from a small town to a city), being academically behind their peers (inadequate education system in Bamfield) and changing home environment.
    - Boarding kids in Port Alberni for high school education is difficult on both the family and child. Citizens often describe the change as too dramatic, traumatizing and poorly transitioned, especially if children's families are not there to support them. Citizens share stories of children dropping out of school after moving from Ḥahuuƚi to attend high school in Port Alberni.
- Many Huu-ay-aht families believe that in order for their children to receive good education and more learning opportunities, they have to move away from Treaty.
- There is insufficient education opportunity outside of school hours. In cities you can access afterschool programs, tutoring/learning centres, science camp, language immersion programs, etc.

A Lack of Childcare Options

- There are limited childcare options in Ḥahuuƚi, consequently limiting employment options for the parent.
- The current childcare program Paawats is from 8:30 am – 4:00 pm, Tuesday to Friday, is not long enough in the day to accommodate a variety of work start and end times, and it is not consistently available during the work week.

A Lack of Healthcare Services

- If families and individuals have health concerns, Citizens feel it is too difficult to live in Ḥahuuƚi. With limited access to doctors, nurses and

health clinics and no access to specialists, hospitals and laboratories the frequent travel to Port Alberni can be arduous and expensive.
- Many Elders shared their worries with aging and the associate health concerns. "What will happen as I age, what if I can't walk, I want to stay in Anacla, but I'm worried that if something happens to me, I will have to move to Port Alberni." (Elder)
- A health emergency in an urban centre can often be addressed in a timely manner with the access of ambulances. A health emergency in Ḥahuuƚi can be fatal, as it can take up to four hours until a person is taken to the Port Alberni hospital by ambulance.
- There is limited access to paramedical services, such as massage therapists, chiropractor, physiotherapy, acupuncture, nutritionist, etc.
- Access to a dentist and dental care can only be done in Port Alberni.

A Lack of Things to Do

- Citizens have shared their concerns with not having enough things to do in Ḥahuuƚi, include opportunities to socialize that do not involve alcohol.
- There are not enough things to do for people of all ages in Ḥahuuƚi.

A Lack of Transportation Options

- Citizens shared that life in Ḥahuuƚi without access to a car is difficult as there are very few options to get into Port Alberni or even around the Anacla communities and Bamfield.
- Options to get to Port Alberni are often difficult and expensive, as there are no scheduled, convenient, affordable transit options.

Driving the Unpaved Bamfield Road

- Due to the lack of amenities and services in Ḥahuuƚi, Citizens with access to adequate vehicles are finding themselves traveling the unpaved Bamfield Road at least 3 – 4 times a month.
- Travel on the Road is time consuming, often taking 1.5 – 2 hours one-way.
- Poor road conditions during the winter month makes traveling from Ḥahuuƚi to Port Alberni and back extra long and often unsafe.
- Having a good vehicle to travel the Road is expensive, including the fuel, insurance and car maintenance cost the Road incurs.

Social Dynamics of a Small Community

- "Too much gossip and rumours"
- "Everyone knows your business", "fishbowl effect" at times there is a lack of privacy in Anacla.

- Safety feels compromised at times due to the remoteness of community.
    - Difficult to have policing or law enforcements come to the community during times of need and emergency.
- Some community members' attitude around drinking and partying can lead to unhealthy lifestyle, including alcohol abuse.
- People's pets are not safely contained; dogs and cats run free in the neighborhood, creating potential health and safety concerns.
- The Nation turns a blind-eye at unhealthy or unsafe people (ex. sexual deviants) in the community. There is not enough done to keep those individuals either away or safely integrated into the community, to ensure clear boundaries and expectations are place on them to keep the rest of the community safe and healthy.
- Fear of having "outsiders" changing the social dynamics of the community.
    - Impacts of empty homes, seasonal living and vacation rentals on the "community feel" of Anacla.
    - "I am afraid of people coming here and making a profit out of the houses. They are going to come here and invest, and they are not going to live here or move here or rent it out."
    - Fear of urban Citizens moving back and not feeling welcomed or accepted. Fear of "Them versus Us" community mentality.

Questions: What makes a home a healthy, safe and appealing place to live for Huu-ay-aht Citizens? What is a happy home? What are the opportunities and changes you would like to see with Ḥahuuƚi housing?

What we heard:

Healthy and Safe Interactions with People In and Around the Home

- Strong family support and relationships inside the home
    - Adults are strong role models for children.
    - Guardians of families with children are healthy and do not participate in substance abuse.
    - Family member have healthy communication regularly and openly.
    - Opportunities and time available to spend with family to participate in shared activities such as dinners, story time and crafts.
    - A general sense of feeling welcomed.
    - A place for families to gather and connect.

- Strong sense of community outside of the home

    - Knowing your neighbours, and being able to rely on them for both small and large tasks.
    - A general understanding that the neigbourhood and its residents have a collective responsibility to care and watch out for the children that live there.
    - Neighbours and community members respecting each other's privacy and boundaries.
    - Neighbours and community members are able to communicate openly and respectfully to each other.
    - Pride and care for the community's outdoor space (lawns and yards are well kept, no derelict vehicles or appliances lying around. "No eye sores.")

- Strong sense of Huu-ay-aht culture
    - Opportunities to practice culture and language.
    - Opportunities to connect to culture through the land.
    - A place that supports Huu-ay-aht teachings and values.
    - A place for intergenerational connection, relationships and support. Where grandparents can pass on stories and knowledge to children and families, and youth collect firewood for Elders.
    - A place to harvest, prepare and consume traditional foods.

The Foundation of Housing Must Include Huu-ay-aht Culture and Values

- Incorporate Huu-ay-aht scared principles into all Huu-ay-aht housing programs, polices and plans. Including:
    - Housing design.
        - Ex. Huu-ay-aht culture involves a lot of time visiting and sharing meals. Ensure that there is space within the home to support this practice essential to Huu-ay-aht culture.
    - Social programs.
        - Ex. Connecting and learning from Elders is a crucial part of youth development for Huu-ay-aht Citizens. Have programs where youth are regularly check-ins on Elders. This will also help prevent isolation and build relationships between youth and Elders.
        - Ex. Identifying creative ways to provide support systems within families and making support and care also a community responsibility, rather just a Huu-ay-aht Government responsibility.
- Find way to support the development of pride in the homes of Huu-ay-aht Citizens.
- Redefine the housing expectation from the Nation and the Citizen. Progress away from the "free housing" and "the Nation will fix it" mentality.

- Offer housing for all Citizens with all types of needs, abilities and stages of life.
- Continue to support and strengthen Ḥahuuṯi's strong sense of community.
- Recognize that all Citizens should be able to feel safe and healthy in Ḥahuuṯi.
- Find new and multiple avenues for people to access housing.

Programs to Support Post-Treaty Housing Independence

- Education for Citizens on:
    - Home care and maintenance.
        - Basic home care 101.
        - Hands-on demonstrations and run-throughs.
        - Education would help Citizens tackle questions like,
            - How to care for a home?
            - What to plan for and expect?
            - What are aspects of a healthy home and a safe home? What to look for? What to keep an eye on?
            - What are the responsibilities of a homeowner?
    - Understanding rural living in Ḥahuuṯi.
        - Provide support and education for Citizens moving back home to Ḥahuuṯi.
        - Help with the transition of moving back home, by helping them understand what it takes to live at home, and to plan and budget accordingly.
    - Promote Citizens' financial capacity and independence.
        - Budgeting workshop for Citizens that want to eventually own a home.
            - Understanding how much Citizens have to save for their "dream" home in Ḥahuuṯi.
            - Understanding all the potential costs in owning and/or building a home in Ḥahuuṯi.
        - Budgeting workshop for Citizens that currently own home.
            - Preparing for property taxes.
            - Saving and planning for long-term home maintenance (ex. roof replacement).
        - Financial planning for all stages of life.
            - Depending on where a Citizen is at in their life, their home needs and future needs may change. It will be important for Citizens to have a financial plan that includes current and future housing needs (ex. an Elder may want to eventually move into a rancher style home or assisted care living. What do they need to save now to meet those future costs?)

- Home owners programs and group support.
    - Housing care program to support Citizens in caring for their homes with workshops, calendar reminders (ex. "time to check your septic tanks"), tools library, etc.
    - Have a housing advocate for Huu-ay-aht Citizens, a designated person to help Citizens on all things housing related.

- Financial assistance from the Nation.
    - A range of suggestions and ideas were provided. They were consolidated to the list below (in no particular order):
        - Micro-loans/loans/lending and/or grants to support initial investments towards the building or the owning of a home in Ḥahuuɬi.
            - Everyone is eligible, however amounts provide varies accordingly to pre-identified criteria.
            - The amounts provided are decided based on one's income and ability to show their own investments and financial capabilities.
        - Allow Citizens to finance their mortgage through the Nation, allowing for a greater safety net and flexibility for Citizens.
        - Supports to help Citizens find and apply to other grants and loans outside of Huu-ay-aht Government assistance.
        - Provide rent-to-own housing scenarios as options for Citizens to eventually own.
- Expectation on renters and landlords.
    - Accountability for both landlords and renters/tenants.
    - Understand the rights of renters and landlords.
    - Programs to identify a local (landlord) contact for rental units/home. Therefore, ensuring communication and accountability if the tenant needs to access the landlord.

From the Nation, Transparency and Communication on Housing.

- Ensuring Citizens have an understanding of Huu-ay-aht's housing policies, plans and processes. Recommendations from Citizens included:
    - Understanding what to expect from property taxes? What is the purpose for property tax and what is it used for?
    - What is involved in selling a home in Ḥahuuɬi? Who can you sell too? Does that include non-Huu-ay-aht Citizens?
    - What processes exist for Citizens wanting to build their own home? What lots are available? What are the financial expectations?
    - What processes exists for Citizens wanting to have a summer home?

    - What types of homes can be built? What are the zoning regulations?
    - What is Huu-ay-aht's plan in residential development? What are planned for specific areas and lots?
- Transparency on any housing selection or decisions for Citizens.
    - What are the criteria and reasoning?
    - Who makes the decisions?
- Form a housing committee to help review programs and plans.
- Have an independent housing authority to manage housing in Ḥahuuɬi.
    - Run a RFP process to identify independent housing authority
- Define clear timelines and expectations for any and all housing process.

A Variety of Housing Options in Ḥahuuɬi

- Different levels of income, life stages and sizes of families.
- Rental and owning options of housing.
- For those that want more privacy, locate homes in more remote areas, on larger lots, spaced father away from other homes.
- Provide a variety to types of housing. Suggestions included:
    - Apartments
    - Seasonal housings/homes
    - Townhouses
    - 2 bedroom to 5 bedrooms homes
    - Transitional housing to support Citizens going through rehab or treatment.
    - Tiny homes

A Thoughtfully Designed, Well Built Home

- Structurally sound and durable.
    - Materials and supplies that are suitable for west coast climates.
    - Strong and healthy roof, walls, floors, windows, etc.
    - Good insulation and seals to prevent drafts and lost of heat in the winter months and keep cool during the summer months.
    - Energy efficient appliances in good working conditions.
    - Good insulation to prevent drafts.
    - Free of mould

- Structures that promote security and safety.
    - Doors and windows that are sturdy and have the ability to lock.
- A healthy space for everyone.
    - Comfortable, organized and clean.
    - Bedrooms and space for everyone, instead of cramped, overcrowded homes.
- Access to reliable utilities.

    - Phone
    - Internet
    - Water
    - Electricity
    - Sewage
- Housing features and items necessary for west coast living.
    - Woodstove - to help keep electric bills low and to warm the house during winter months and when the power goes out.
    - Generator – to keep your fridge and other important appliances running the power goes out.
    - Shed or carport – to store tools, lawn mowers, fishing gear, stacked wood, etc.
    - Smoke house – to be able to practice culture by smoking fish.
    - Fencing – to keep out wildlife.
    - Open style kitchen – to cook and share meals with family.

Housing Affordability

- Allows for families and individual to live comfortably with their income and housing costs (i.e. rent or mortgage, insurance, utilities, etc.).
    - Approximately 30% of ones income goes towards housing.
- That the cost associated with where you live is manageable.
    - The cost of amenities such as transportation, groceries, childcare and healthcare are manageable and reasonable.
    - Low utilities costs.
- Having different types of housing for different levels of income.
    - Homes for different life stages and sizes of families.
    - Different financial structures and options for different needs and wants. Mortgage versus rent versus rent to own.

More Employment Options in Ḥahuuṭi

- More full-time work opportunities.
- More employment that is consistent and occurs year round.
- A range of pay, including more employment with higher paying wage, then a living wage. Provide wages that can support a mortgage in Ḥahuuṭi.
- A variety of employment options.
- Rewarding, meaningful work.
- Fiber optiks Internet – to allow people to work from home.

Access to Amenities and Services

Education

- Access to good education for all ages, levels and interests.

- Access to adult education, everything from post-secondary education, to short-term workshops or programs.
- Important for children to be able to access kindergarten to grade 12 education in Ḥahuuṭi.
- More children's education programs outside of school (ex. science camps, language classes,

Transportation

- Access to convenient, reliable, and scheduled varieties of transportation options.
- Recommendations from citizens included:
    - Alternative transportation options (shuttle bus, boat, handydart, golf carts, etc.)
        - Scheduled shuttle between Port Alberni to Anacla
        - Scheduled shuttle between Lower, Upper Anacla and Bamfield
        - A boat owned and operated by Huu-ay-aht to take people from Ḥahuuṭi to Port Alberni.
- Upgrade the Bamfield Road.
    - Support safer driving conditions.
    - Allow a variety of cars to access the road.
    - Shorter travel times to Port Alberni.

Food Security

- Access to healthy, fresh affordable food in Ḥahuuṭi.
- More grocery store options to access fresh affordable produces and meats.
- Community garden to support Citizen connections to food

Healthcare

- Access to all levels of health care, including doctors, hospitals, ambulances, dentist, physiotherapist, chiropractor, etc.
- Citizen suggestions:
    - Accessible registered nurse, devoted to the Nation, with regular visits to Anacla residents.
    - Dentist visits for community dental check-ups.
    - More frequent access to a counselor and other mental health professionals outside of the 9 am – 5 pm work hours.

Childcare

- Access to a variety of childcare options to support working families.
- Adequate childcare on Ḥahuuṭi
    - Availability from Monday to Friday.
    - Potential options for Saturday and Sunday care.
    - Longer hours to support a variety of parents' work schedule.
    - More Early Childhood workers.

Law Enforcement

- Access to trustworthy, reliable, reachable law enforcement is important in supporting the feelings of safety in a community.
- Due to the remoteness, citizens suggested a variety of options to support community safety on Ḥahuuƚi.
    - Formally identify a group of citizens that support the safety of the community (ex. Neighbourhood Block Watch).
        - Connected to and have a relationship with the RCMP
        - Assist RCMP with assessing emergencies and other situations that involve policing.
- Identify safe houses and spaces within the community for people to go to if they need help. Ensure people associated with safe homes are healthy and safe people with first aid training.

Healthy Activities

- More entertainment options and healthy activities on Ḥahuuƚi for all ages.
- More things to do on Ḥahuuƚi!
- More opportunity for camaraderie and for people to make connections.
- More healing opportunities for Citizens.
- Examples shared by Citizens included:
    - For youth and children
        - Afterschool programs
        - Sport and recreational programs
        - Swimming pool
        - Boy Scout and Girl Scout
        - Art and Crafts workshop
        - Kids camps
        - Workshops/course for youth to coach sports, or babysitting
        - Cultural events (singing, dancing practice)
    - For adults and elders
        - Restaurant options
        - Bingo hall
        - Coffee shop, little store – Lower Anacla
        - Sport and recreational programs
        - Women's group
        - Adult cultural camps
        - Health and wellness retreats
        - Communal smoke house
        - Canoe trips/journeys
        - Cultural events

Desirable Community and Neighborhood Design

- Walkability to promote active lifestyles, reduce the dependencies on cars and mobility freedom to those with out vehicles.
    - Walking paths to encourage walkers and support community interactions outside of their vehicles.
- Options for alcohol free spaces and places for gathering and socializing. These areas or buildings would be warm and inviting and support community interactions, such as community potlucks, sporting events, cultural activities, children's programing, youth hangouts, etc.
- An interactive designed playground with options of covered seating areas for families and Elders.
- Trees lined neighbourhoods to provide shade and aesthetic appeal.
- Community gardens to support healthy food relationships and community interactions through communal gardening.
- A variety of housing options with similar design characteristics.
- Well-lit indoor and outdoor spaces to promote safety.
- Have homes that are not located on the road.
- A place for all the abandoned vehicles and boats, so they are not just lying in people's yards on or the road.
- Communal cooking and dinning space in Lower Anacla.

Homes for Elders

- Citizens recognized that elders might need more support, especially those living on Ḥahuuƚi. Below are the suggestions from Citizens:
    - Social considerations:
        - Programs to connect youth with elders.
        - Work with families to ensure that elders are receiving visits and check-ins.
        - Healthcare services geared to elders' needs. A nurse dedicated to Ḥahuuƚi.
        - Multigenerational housing so that grandparents can stay connected with grandkids.
        - Transportation for to Port Alberni to access services and amenities, such as grocery stories, banking and doctors.
        - Provide housekeepers for elders.
        - Elders support person to help elders with paperwork and forms.
        - Some elders will not want to move out of their home, even if it's only to Upper Anacla. For those elders that won't move, what can be done to make home for them as comfortable and accessible as possible.
    - Housing design considerations:
        - Elders with two-story homes can renovate their ground floor to allow them to live downstairs and have a rental unit or family live upstairs.
        - Rancher style homes.

- Build homes close to children's play areas that allow Elders to look over and watch kids play and interact.
- Elders' home or elders assisted living facility.
    - A common area for everyone to go for a meal, but each suite would still have their own little kitchen/kitchenette, so elders could cook if they wanted too.
    - A space for kids and elders to interact, a common courtyard area with chairs and table that people can sit and watch the children.
    - Common courtyard with a garden.
    - For families coming to visit, have communal kitchen facilities available for celebrations, dinners or birthday parties.
    - A 24-hour nurse available. The nurse can administer medication.
    - Every room has a call button in case of emergency or if anyone needs help.
    - Designed and built for accessibility for Elders or people with mobility issues.
    - When family comes to visit, the facility can have extra rooms for visitors to book and stay.

Independent Housing Panel Study: Huu-ay-aht Citizen – Participation List

Everyone in the table below provide input into the study, whether it was through the surveys, meetings or focus groups. For those that attended the Community Engagement Sessions (CES), those listed provided input through the survey and/or focus group. Not included are all of the CES attendees, only those that directly participated in some way.

82 people directly participated in the Housing Study.

The columns show how each person participated and where the participation took place. Here is the location abbreviation:

AN – Anacla
PA – Port Alberni
NA – Nanaimo
VI – Victoria
VA – Vancouver

Below is where the 82 citizens that provided direct input resides:

Place of Residence	Number of Citizen Participant
Ḥahuuṯi	28
Port Alberni Area	36
Greater Victoria Area	3
Parksville Area	3
Nanaimo Area	5
Greater Vancouver Area	6
Duncan Area	1

Below are the age groupings of the 82 citizens that provided direct input:

Age Groupings	Number of Citizen Participant
Under 19	3
19 - 29	9
30 - 39	14
40 - 49	17
50 - 59	6
60 - 69 (Elders)	19
70 + (Elders)	14

Huu-ay-aht Citizen Participant List

1. Anne Marie Robinson
2. Ayanna Clappis
3. Barbara Johnson
4. Barry Halvorsen
5. Belinda Nookemus
6. Ben Clappis
7. Carla Marie Williams
8. Charles M. Hube
9. Cheryl Thomas
10. Cheyenne Johnson
11. Clifford Nookemus
12. Cory Howard Jr
13. Crystal Clappis
14. Darlene Nookemis
15. Deborah Cook
16. Derrick Escobar
17. Edward Johnson Jr.
18. Falicia Dennis
19. Harry Brossaulth
20. Hinatinyis
21. Jack Cook
22. Jacquie Dennis
23. Jane Peters
24. Jeff Cook
25. John Jack
26. Judy Johnson
27. Kimmie MacDonald
28. Kristen Young
29. Lavern Cook
30. Leonard Nookemis
31. Marge White
32. Marie Nookemus
33. Marilyn Cote
34. Marina Rayner
35. Neelie Dennis
36. Nora Peters
37. Norman Dennis
38. Oscar Nookemus
39. Patricia Rytter
40. Richard Nookemus
41. Rita Dennis
42. Ronald Cook
43. Roxana Nookemus
44. Ruby Burkholder
45. Sarah Dennis
46. Shannon Nookemus
47. Shawn Mack
48. Sherri Cook
49. Simon Dennis
50. Susan Sport
51. Sylvia Dennis
52. Theresa Peter
53. Tiana Peters
54. Trevor Cootes
55. Vicky Nookemis
56. Youth
57. Youth
58. Youth
59. Anonymous
60. Anonymous
61. Anonymous
62. Anonymous
63. Anonymous
64. Anonymous
65. Anonymous
66. Anonymous
67. Anonymous
68. Anonymous
69. Anonymous
70. Anonymous
71. Anonymous
72. Anonymous
73. Anonymous
74. Anonymous
75. Anonymous
76. Anonymous
77. Anonymous
78. Anonymous
79. Anonymous
80. Anonymous
81. Anonymous
82. Anonymous

Huu-ay-aht Citizen Housing Study – Engagement Methods

Information shared with opportunities for feedback, comments and questions through the following methods:	Number of citizen impacted:
- Community Engagement Session (Anacla, Nanaimo, Port Alberni, Vancouver, Victoria)	115
- Youth Meeting – Port Alberni	5
- Huu-ay-aht Elders Meeting/Luncheon	19
- Huu-ay-aht Cultural Night - Port Alberni	18
- Housing Focus Groups o Anacla o Anacla (Elders) o Port Alberni o Victoria	46
- Huu-ay-aht First Nations Website – Housing Page o Online survey links o Independent Housing Panel Updates o PDFs of surveys o Contact information	Approximately 2000 monthly viewers
- Huu-ay-aht First Nations Facebook Page o Link to Huu-ay-aht Housing Page o Promotions of Focus Groups o Promotions of online surveys	Approximately 5000 weekly viewers
- Citizen individual and family home visits	9
- Citizen survey interviews (one-on-one)	34
- Survey interviews with Huu-ay-aht Government staff	12
- Poster canvasing at o Friendship Centres (Port Alberni, Vancouver, Nanaimo) o Carnegie Hall (Vancouver) o Huu-ay-aht Offices (Anacla, Port Alberni)	(Unknown)
- Uyaqhmis - Huu-ay-aht First Nations Newsletter	500 Households



Appendix C

Sample Questions Regarding Independent Housing Panel's June 2019 Interim Report

1. The Panel developed 21 principles which have guided its work. Do you agree with these principles? Do you think some principles should be added? (see Section 2 of this Interim Report)

2. Robert Dennis Sr. provided his recollection of the history of housing in the Hahoulthee. Is there anything you would like to add to this historic record? (see Section 3 of this Interim Report

3. The Panel has tried to capture the top 15 most received recommendations from Huu-ay-aht citizens related to housing in the Hahoulthee based on community engagement which took place in the spring of 2019. Do you agree with these recommendations? Has the Panel missed any key recommendations you would like to see added? (see Section 4)

4. Huu-ay-aht citizens were engaged to provide thoughts on housing and the Huu-ay-aht community in the spring of 2019. The Panel has tried to summarize these thoughts in Section 4 of this Interim Report. Please provide any additional thoughts or comments you would like on this Section.

5. Section 5 of this Interim Report provides the Panel's findings on the need for housing and physical infrastructure (such as roads, water, community buildings) in the Hahoulthree. Please provide your thoughts on these findings. In particular, the Panel would appreciate your thoughts on the type, size, location and cost of new housing proposed.

6. The Panel has summarized its thoughts on social infrastructure such as education, health care, recreation and employment available in the Anacla – Bamfield area in Section 5 of this Interim Report. Please provide any comments you may have on these findings.

7. The Panel scanned other First Nations in Canada in search of innovative programs designed to house Nation members, and to bring them back to home communities. The results are shown in Section 6. Are you aware of other specific programs implemented by other First Nations that the Panel should consider?

8. The Panel is suggesting that a 'Housing Navigator' position be created to assist Huu-ay-aht citizens work through all aspects of housing. Do you agree with this recommendation?

9. An Independent Housing Authority is being suggested by the Panel in Section 6 of this Interim Report. Please review this Section, and provide your thoughts on whether this is a good approach for Huu-ay-aht.

10. The Panel identified some changes to Huu-ay-aht legislation, regulation and policy, which could be adjusted to implement the recommendations in this Interim Report. If you are aware of other documents which should be considered, please identify them.

11. A wide ranging of Federal, Provincial and other related funding programs, which could support Huu-ay-aht housing, related infrastructure and training programs were brought to the Nation's attention by the Panel. If you are aware of other related funding programs, please identify them.

Appendix D

Funding Program to Support Citizen Engagement in Review of Interim Report

Title - [12 pages]

Indigenous Services Canada | Services aux Autochtones Canada

NEW APPROACH FOR HOUSING SUPPORT (NAHS)

Governance & Capacity Application

BC Region

v.1

Indigenous Services Canada | Services aux Autochtones Canada

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Indigenous Services Canada | Services aux Autochtones Canada

GETTING STARTED

Overview

This application must be used to apply for New Approach to Housing Support (NAHS) Governance & Capacity Program funds. Examples of common activities under NAHS Program Governance & Capacity include but are not limited to:

Housing Policy Creation

- Create a housing policy to address: wait list eligibility, rental/loan arrears, default and eviction records, tenancy agreements, housing design criteria in addition to codes, etc.
- Establish leadership and membership endorsement of housing policies/plan
- Establish clear roles and responsibilities for Chief and Council, Housing Committee/Staff, Tenants, and any third parties involved in the proposed housing project (contractors, inspectors, etc.). Often job descriptions of positions are developed
- Outline the organizational structure required to achieve objectives
- Establish a communication strategy for ensuring effective collaboration among parties
- Establish a Maintenance and Inspection Plan
- Create housing policies that compliment Shelter Compliance Policy (e.g. create separate accounts for band owned and private owned rentals collecting Income Assistance Shelter Allowance; create default notice and eviction policies)
- Establish a succession plan for the Housing Staff/Committee
- Establish support for community development and wellness objectives
- Set up the administration of separate Financial Accounts

Housing Plan Creation

- Outline the current housing situation, including current needs, future needs, and potential ways of securing long-term commitment of funds (includes the method of how this information was gathered: needs assessments, surveys, etc.)
- Identify why the proposed project is needed and what issues/challenges will be addressed (e.g. overcrowding issues and related health and safety problems).
- Establish how the project contributes to the First Nation's community vision
- Establish the type of housing required, home ownership, and land tenure
- Establish the environmental requirements and relevant permits
- Establish a list of measurable objectives (with timelines and who will be involved) that are consistent with identified needs
- Identify potential training opportunities for leadership, administration, and tenants
- Provide an overview of financing, justification of the priority, allocation, and expected outcome (review of existing and forecasted asset management finances/cash flows)
- Establish sources of funds and costs of housing construction, renovations, and maintenance plans
- Establish a plan of when and how progress reporting will occur among all parties involved
- Establish key performance indicators
- Establish support for community development and wellness objectives

Training

- Capacity development training/courses

Overview (cont'd)

All approvals are subject to available Indigenous Services Canada (ISC) funding and scope of project. Approved projects may be subject to program review.

Reporting frequency will be determined on a case by case basis by complexity and risks associated with the proposed project. All projects will be required to provide reports including a summary of actual expenditures and deliverables/milestones achieved pursuant to the approved plan.

The applicant must attach a Band Council Resolution (BCR) confirming: project deliverables, First Nation's contribution to the total project cost, and all other sources of funding.

Refer to **ANNEX – Governance & Capacity Criteria and Eligibility** for further details as well as eligible activities and ISC funding levels to complete the application.

Indigenous Services Canada | Services aux Autochtones Canada

Governance & Capacity Application Checklist

☐	Completed Application
☐	Loan Commitment Letter from Bank (if applicable)
☐	Band Council Resolution (BCR) confirming: • Project deliverables • First Nation's contribution to total project cost • All other sources of funding

Indigenous Services Canada | Services aux Autochtones Canada

GOVERNANCE & CAPACITY APPLICATION

Project Overview

Applicant Information

First Nation Name		First Nation Band Number	

Mailing Address		
City/Town	Province or Territory	Postal Code

Telephone Number	Extension	Email

PROJECT LEAD CONTACT

Name	Provide Secondary Name and Contact Info (if applicable)

Title/Position		
Telephone Number	Extension	Email

Project Description

Total Project Cost:	Total ISC Funding Requested:

Project Start Date:	Project End Date:
Click here to enter a date.	Click here to enter a date.

Project Description:

Indigenous Services Canada | Services aux Autochtones Canada

Project Description (cont'd)

Expected Outcomes and Criteria for Measurement of Success:

Other Considerations (e.g. increased capacity; training and employment of community members; innovative features):

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Source and Use of Funding

Project Details	Sources of Funding								
Housing Policy Creation									
Project Details	**ISC Funding $**	**First Nation Contribution $**		**Individual Contribution $**	**Financing/Loans $**	**Other Funding $**	**In-kind Contribution $**	**Total Cost $**	**Provide Details of Funding**
Housing Plan Creation									
Project Details	**ISC Funding $**	**First Nation Contribution $**		**Individual Contribution $**	**Financing/Loans $**	**Other Funding $**	**In-kind Contribution $**	**Total Cost $**	**Provide Details of Funding**
Training									
Project Details	**ISC Funding $**	**First Nation Contribution $**		**Individual Contribution $**	**Financing/Loans $**	**Other Funding $**	**In-kind Contribution $**	**Total Cost $**	**Provide Details of Funding**
TOTALS	**$0**	**$0**		**$0**	**$0**	**$0**	**$0**	**$0**	

Refer to **ANNEX – Governance & Capacity Criteria and Eligibility** for further details as well as eligible activities and ISC funding levels to complete the application

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ISC Funding Cash Flow Projections			
Month	**Year 1**	**Year 2**	**Year 3**
Quarter 1 (April – June)			
Quarter 2 (July - September)			
Quarter 3 (October – December)			
Quarter 4 (January – March)			
TOTAL	**$0**	**$0**	**$0**

Indigenous Services Canada | Services aux Autochtones Canada

Declaration

The information provided is accurate to the best of my knowledge.

I confirm that I have delegated authority to sign on behalf of the First Nation.

_____ First Nation(s)

_____
Name (Printed)

_____
Signature

_____
Date (DD/MM/YYYY)

Indigenous Services Canada | Services aux Autochtones Canada

ANNEX

Governance & Capacity Criteria and Eligibility	
FUNDING	• $50,000 maximum funding per applicant not to exceed 80% of total project cost • First Nation contribution must be at least 20% of total project cost of which 50% can be in-kind
ELIGIBILE RECIPIENT CRITERIA	• Eligible recipients to remain consistent with Capital Program policies and Treasury Board requirements • Block funded First Nations' eligibility is subject to BC Region ISC's "Access to Additional Capital Guidelines for Block-Funded Recipients" • Self-Government/Treaty First Nations' eligibility is subject to the terms of their Fiscal Financial Agreements • Recipient must allow ISC to share templates developed (specific information identifying the First Nation or individuals can be removed upon request) to support best practice information sharing with other First Nations and to reduce costs of "re-inventing" templates

ELIGIBLE ACTIVITIES FOR ISC FUNDING	• Eligible activities may include:
	  • **Housing Policy Creation:**
	  • Create a housing policy to address: wait list eligibility, rental/loan arrears, default and eviction records, tenancy agreements, housing design criteria in addition to codes, etc.
	  • Establish leadership and membership endorsement of housing policies/plan
	  • Establish clear roles and responsibilities for Chief and Council, Housing Committee/Staff, Tenants, and any third parties involved in the proposed housing project (contractors, inspectors, etc.). Often job descriptions of positions are developed
	  • Outline the organizational structure required to achieve objectives
	  • Establish a communication strategy for ensuring effective collaboration among parties
	  • Establish a Maintenance and Inspection Plan
	  • Create housing policies that compliment Shelter Compliance Policy (e.g. create separate accounts for band owned and private owned rentals collecting Income Assistance Shelter Allowance; create default notice and eviction policies)
	  • Establish a succession plan for the Housing Staff/Committee
	  • Establish support for community development and wellness objectives
	  • Set up the administration of separate Financial Accounts
	• **Housing Plan Creation**
	  • Outline the current housing situation, including current needs, future needs, and potential ways of securing long-term commitment of funds (includes the method of how this information was gathered: needs assessments, surveys, etc.)
	  • Identify why the proposed project is needed and what issues/challenges will be addressed (e.g. overcrowding issues and related health and safety problems).
	  • Establish how the project contributes to the First Nation's community vision
	  • Establish the type of housing required, home ownership, and land tenure

Indigenous Services Canada | Services aux Autochtones Canada

Governance & Capacity Criteria and Eligibility (cont'd)	

ELIGIBLE ACTIVITIES FOR ISC FUNDING (cont'd)	• Establish the environmental requirements and relevant permits
	  • Establish a list of measurable objectives (with timelines and who will be involved) that are consistent with identified needs
	  • Identify potential training opportunities for leadership, administration, and tenants
	  • Provide an overview of financing, justification of the priority, allocation, and expected outcome (review of existing and forecasted asset management finances/cash flows)
	  • Establish sources of funds and costs of housing construction, renovations, and maintenance plans
	  • Establish a plan of when and how progress reporting will occur among all parties involved
	  • Establish key performance indicators
	  • Establish support for community development and wellness objectives
	  • **Training:**
	  • Capacity development training/courses
	• Special initiatives assessed on a case by case basis such as: the creation of aggregated First Nations housing policies and plans; the creation of band administered revolving loans; or other

INELIGIBLE ACTIVITIES FOR ISC FUNDING	• Labor/trades training • Accreditation/curriculum courses
ISC REPORTING	**Annual Progress Report(s)** – Annual progress reports are required for multi-year initiatives. These reports must provide a status of the activities/deliverables in the approved work plan. A summary of financial expenses must accompany the annual progress report(s). Other reporting periods (e.g. bi-monthly, quarterly) may be required per ISC assessment. **Completion Report** – Confirms project is complete • The following documentation must be submitted with the completion report: • Summary of financial expenses

Indigenous Services Canada | Services aux Autochtones Canada

Band Council Resolution Sample Text

The applicant must attach a Band Council Resolution (BCR) confirming:

- Project deliverables,
- First Nation's contribution to the total project cost, and;
- All other sources of funding.

The BCR sample text provided below must be included in the First Nation's BCR:

1. The First Nation is seeking funding approval from Indigenous Services Canada (ISC) as part of the New Approach for Housing Support (NAHS) Governance & Capacity program to complete:

   ☐ Housing Policy
   ☐ Housing Plan
   ☐ Training

2. The First Nation is requesting $_____ ISC funding.

3. The First Nation confirms the following funding/financing is secured:
   - $____ total in First Nation contributions
   - $____ total in individual contributions,
   - $____ total in financing/loans,
   - $____ total in other funding, and;
   - $____ total in in-kind contributions

4. The First Nation confirms any cost overruns that exceed the approved ISC funding are the responsibility of the First Nation.

5. The First Nation commits to complete the project(s) by DD/MM/YYYY.

Appendix E

Canadian Radio-Television and Telecommunications

BACKGROUNDER

Building a Better Canada: Universal High-Speed Internet

In today's connected world, it is more important than ever that Canadians have fast and reliable access to the internet.

For small businesses looking to reach customers around the world, seniors who want to stay in touch with family and friends, or college students who want to move home for the summer but still need to be able to take online courses or apply for work, high-speed internet is a necessity, not a luxury.

With Budget 2019, the Government is announcing a new national target to deliver high-speed internet to every Canadian home and business, and a plan to make that happen.

Canada's Commitment: Universal High-Speed Internet for Every Canadian

In Budget 2019, the Government is announcing its commitment to set a national target, in which **95 per cent of Canadian homes and businesses will have access to internet speeds of at least 50/10 Mbps by 2026 and 100 per cent by 2030, no matter where they are located in the country.** This is in keeping with the broadband internet speed objective set by the Canadian Radio-television and Telecommunications Commission (CRTC) for Canadian households and businesses across Canada.

It is estimated that by the time all currently planned broadband programs are in place, by 2021, about 90 per cent of Canadians will have reliable access to internet speeds of 50 megabits per second (Mbps) for downloading data and 10 Mbps for uploading data (also known as 50/10 Mbps). These are the speeds identified by the CRTC to enable Canadians to take advantage of cloud-based software applications, multiple government services (e.g. telehealth services, business support), online learning resources and high definition streaming videos. However, even with 90 per cent of Canadians covered, about 1.5 million Canadian households will still be underserved.

Delivering high-speed internet to every Canadian, especially in more rural and remote areas, will help businesses grow, create new jobs and connect more people to the resources, services and information they need to build a better future.

Department of Finance Canada | Ministère des Finances Canada

Canada

Government of Canada Budget 2019 Commitment to Internet - [3 pages]

Investing in Universal High-Speed Internet Access

To help every Canadian access high-speed internet at minimum speeds of 50/10 Mbps, Budget 2019 is proposing a new, coordinated plan that would deliver $5 billion to $6 billion in investments in rural broadband over the next 10 years to help build a fully connected Canada—including rural, remote and northern communities. This includes:

1. Support through the Accelerated Investment Incentive to encourage greater investments in rural high-speed internet from the private sector.
2. Greater coordination with provinces, territories and federal arm's-length institutions, such as the CRTC and its $750 million rural and remote broadband fund.
3. $1.7 billion in new investments in the successful Connect to Innovate program, and the launch of a new Universal Broadband Fund that will focus on extending "backbone" infrastructure to underserved communities. For the most difficult-to-reach communities, funding may also support "last-mile" connections to individual homes and businesses.
4. Included in the new Universal Broadband Fund, the Government will look to secure advanced, new low-latency Low Earth Orbit satellite capacity. A process will be launched in the spring of 2019 to bring reliable high-speed internet access to even the most challenging-to-reach rural and remote homes and communities in Canada.
5. New investments by the Canada Infrastructure Bank (CIB). The CIB will seek to invest up to $1 billion over the next 10 years, and leverage at least $2 billion in private capital, to increase broadband access for Canadians.

Since launching the Connect to Innovate program in Budget 2016, the Government has leveraged $554 million from the private sector and other levels of government for approximately 180 projects so far.

These projects will help improve connectivity in more than 900 communities, including in 190 Indigenous communities, and connect up to 1,100 institutions like schools, hospitals and community centres—three times more than initially projected to benefit from the program.

Working together, industry and governments have been successful in bringing more Canadians online. Some initial steps are already beginning to show results:

- In the 2018 *Fall Economic Statement*, the Government introduced the Accelerated Investment Incentive—an accelerated capital cost allowance designed to encourage businesses to invest and create more good, well-paying jobs. The Incentive is available to businesses of all sizes and across all sectors, including telecommunications. Response to this new Incentive has been very favourable. To date, telecommunications companies have signalled more than $1 billion worth of private sector activity, focused on providing better internet access to unserved or underserved communities. The Accelerated Investment Incentive is also expected to help deploy next-generation digital technologies, such as 5G connectivity, across the country.
- Provinces and territories have recently made important broadband investments. For example:
  - The Government of Nova Scotia established an internet funding trust to help connect more communities, homes and businesses across the province.
  - The Government of British Columbia announced in its 2019 Budget that it is expanding high-speed internet service to more than 200 communities in that province.
- The CRTC recently launched its own five-year $750 million Broadband Fund to improve internet access in underserved areas. It will support projects to build infrastructure to provide fixed and mobile wireless broadband internet services to unserved rural, remote and northern communities.



Appendix F

Environmental Scan of First Nations Housing Practices

Environmental Scan
of
First Nation Housing Practices

Prepared for Huu-ay-aht Housing Panel
May 8, 2019
By Brenda Norris

This report is an environmental scan of what is available for financing for First Nations on-reserve housing and First Nation's housing best practices across Canada. There are 634[1] First Nations in

[1] https://www.rcaanc-cirnac.gc.ca/eng/1100100013785/1529102490303

1 of 14

Environmental Scan of First Nation Housing Practices - [14 pages]

Canada and this report looked at each one to ascertain the kinds of housing programs each First Nation is using and how many nations are planning for future increases in membership. For the purposes of this research, only nations who are planning or implementing mixed housing strategies were included.

The far northern territories were excluded because they are not on Reserve Lands (although there are two in the NWT, they receive funding through the territorial government) and although they may have some of the same challenges, they do not have the access to reserve funding for social housing or homeownership.

Shortages of First Nations housing is a real challenge in most communities, from lack of funding for basic social housing to not enough band land to support increasing population. That said, First Nations are using a variety options to increase social housing and homeownership.

The research did not find any First Nations that had or were developing housing programs to attract members back to the nation. However:

- First Nations are planning for growth in membership and a large number use community development plans to plan for future housing needs.
- First Nations do have housing options for members who are at different financial standing. Distance to economic opportunities and jobs does affect the type of housing in the community. Economically challenged First Nations mainly offer social housing.

MAIN FINDINGS

Questions asked:

Are there any communities that have designed housing programs to attract members back to the community?
The research did not uncover any overt messaging to bring members back to the community however, increasing membership in communities is mentioned in community plans. First Nations with off reserve members offer homeownership grants.

What types of housing options[2] are offered for FN?

- **First Nation On-Reserve Housing Program (Bands)**

  First Nations can use these funds to build and renovate houses, as well as contribute towards costs such as maintenance, insurance, debt servicing, and the planning and management of a housing portfolio. Indigenous Services does not cover the full cost of housing. First Nation communities and their residents are also expected to secure funding from other sources for their housing needs, including shelter charges and private-sector loans. The On-Reserve Housing Program is part of Indigenous Services' Capital Facilities Maintenance Program.

- **Insured Loans for On-Reserve First Nation Housing (Band members with CP or band permission)**

  CMHC provides loan insurance to approved lenders. This allows them to offer guaranteed loans for on-reserve First Nation housing projects. An approved lender might be a bank, credit union or Aboriginal Capital Corporation. All loans are secured by a council resolution and a ministerial loan guarantee from Indigenous Services Canada (ISC). If you cannot repay the

[2] https://www.sac-isc.gc.ca/eng/1100100010715/1521125087940

loan, the outstanding balance will be paid to the approved lender by ISC on your behalf. However, ISC will then require repayment from your First Nation.

- **On-Reserve Non Profit Housing Program (Section 95)**

  Supports First Nation communities by providing financial assistance to build affordable rental housing on-reserve for members.

- **The First Nations Market Housing Fund**

  This helps individuals on-reserve and on settlement lands where appropriate, to obtain loans, where their First Nation meets certain criteria, such as a demonstrated ability to manage their finances, loans and housing.

  Once the Fund qualifies a First Nation, the First Nation will make an arrangement with a lender or lenders to allow its members to obtain housing loans. The First Nation will guarantee the members' housing loans.

  With arrangements made with the First Nations and with the lender or lenders, members of that First Nation will be able to apply for a housing loan, in the same way households do off-reserve, with similar lending terms and conditions. Lenders will review the value of the house, the borrower's income and the borrower's ability to repay a loan when their other expenses are considered. Assuming the borrower meets the lender's criteria, he or she would be approved for a loan.

- **Rural and Native Housing (RNH)** The Rural and Native Housing (RNH) programs provide homeownership, rental, and home repair assistance to low-income households experiencing housing problems and living either in a community of 2,500 or less in population or in a rural area. The evaluation provides evidence on the continuing need for the RNH programs, the extent to which they have achieved their objectives, other impacts and effects they have had and their cost-effectiveness compared to the alternatives. The evaluation includes an analysis of the following programs: the RNH Homeowner, Rental and Lease-Purchase programs, the RNH Demonstration program, the Emergency Repair Program and the RNH Training programs, as well as the Federal/Provincial Basic Shelter Program in New Brunswick and the Federal/Territorial Homeownership Assistance Program in the Northwest Territories.

- **Indigenous Homes Innovation Initiative**[3] 'To be eligible for funding, ideas must relate to housing in some way, and they must come from and serve an Indigenous community. There are no other requirements.'

Are there plans for increasing the members of the FN community?
First Nations with capacity have included increasing band housing as part of their community plans. The community plans developed by First Nations are based on the First Nation's land base. Many First Nations in BC have smaller reserves, particularly those close to larger centres.

Background Research
Indigenous Housing FN Reserve

[3] https://impact.canada.ca/en/challenges/indigenous-homes

This backgrounder provides context for best practices on current housing policy in Canada

Overview

From the 1960s to 1990s, Canada Mortgage and Housing Corporation (CMHC) delivered public housing in Canada in partnership with provincial and territorial governments through long-term financing and subsidy agreements.

Jurisdictions Housing policy is impacted by multiple overlapping jurisdictions, including federal, provincial, territorial, and Indigenous governments. Most housing policy and service delivery is the responsibility of the provinces, territories, and some Indigenous governments. The federal government provides funding and broad policy direction. Housing programs are typically governed and administered through provincial, territorial, and local housing corporations.

Most First Nations have title over lands under the Indian Act.

Housing Need

A majority of the First Nation population is in core housing need on many reserves. Overcrowding is created by the public housing shortage, as shown by long public housing waitlists and estimated need for new units on reserves. Current housing quality issues most times are a legacy of lower standards in place decades ago when much of the stock was constructed. In the newer stock, quality is often sacrificed for quantity due to higher costs of building materials and construction on remote reserves - producing as much housing as possible within limited budgets.

EXISTING SUPPORTS

Federal Funding Structures

Housing is funded by the federal government through a combination of regular fiscal transfers and agreements, legacy social housing agreements, irregular bilateral agreements, forgivable loan and subsidy programs, financing support, and capacity building programs.

Legacy Social Housing Agreements Long-term legacy social housing agreements are comprised of a substantial amount of federal housing funding, but agreements have started to expire across Canada. All will be expired 2038. The National Housing Strategy introduced new funds to temporarily replace the funds lost by expiring social housing agreements.

Bilateral Housing Agreements Depending on the priorities of the government in power, provinces, territories, and Indigenous governments and organizations may receive additional funds specific to housing through bilateral agreements. The funds are announced and do not require an application. The funds often require cost-matching from the provinces and territories and are targeted towards certain priorities.

Investment In Affordable Housing Between 2011-2019, the Investment in Affordable Housing (IAH) was the primary source of federal housing funding delivered through bilateral agreements. The funds were delivered through multi-year cost-sharing agreements with CMHC.

On reserve housing programs: https://www.sac-isc.gc.ca/eng/1100100010752/1535115367287

Forgivable Loan and Subsidy Programs CMHC has a number of programs that provide **forgivable loans** and subsidies directly to Indigenous governments, Indigenous organizations, community housing providers, municipalities, and private sector groups. Forgivable loans do not have to be repaid if certain conditions are met. These programs require eligibility criteria to be fulfilled and an application to be submitted.

The federal government supports First Nations in obtaining loans through a number of programs. 'Crown-Indigenous Relations Canada (CIRNAC) and Indigenous Services Canada (ISC) provide funding for programs, services and initiatives to First Nations, Inuit and Northern communities, governments and individuals as well as to Aboriginal and Métis organizations.'[4]

Ministerial Loan Guarantees Indigenous Services Canada (ISC) minimizes risk for lenders by issuing Ministerial Loan Guarantees for on-reserve housing loans. The guarantees may also be available to First Nations with land claims, but eligibility varies depending on the land claim agreement. Guarantees are obtained through an application that must meet eligibility criteria and application requirements. Guarantees are available for First Nation housing projects and individual homeownership on-reserve.

CMHC Financing Programs Two CMHC programs provide financing for on-reserve housing projects.
The Direct Lending Program for First Nation Communities provides low-rate financing for affordable housing projects on-reserve.
The Insured Loans for On-Reserve First Nation Housing program provides loan insurance to lenders providing loans for market housing on-reserve.

First Nations Market Housing Fund [5]The First Nations Market Housing Fund was created in 2007 by the federal government to support the development of market housing in First Nation communities. It is used to guarantee loans for individual homeowners on reserve and on First Nation land claim lands.

Habitat For Humanity[6] Although small in scale, the Habitat for Humanity Indigenous Housing Partnership is another means of financing housing. The program is supported by the federal government. The program provides an interest-free loan and advice on finances and maintenance in exchange for 500 hours of volunteer work from the family.

Related Federal Strategies, Frameworks, and Initiatives

The federal government has multiple strategies and frameworks that make funding available for specific housing and housing-related initiatives.

[7]**National Housing Strategy**

[4] https://www.aadnc-aandc.gc.ca/eng/1425576051772/1425576078345
[5] https://www.fnmhf.ca/english/about/index.html
[6] https://www.habitat.ca/aboriginal-housing-program-p7097.php
[7] https://www.placetocallhome.ca/

Responsible Department/Agency: CMHC The National Housing Strategy was released in 2017 and dedicated $40 billion to housing across Canada, in addition to establishing initiatives to promote accountability, community engagement, and partnerships.

[8]First Nation Housing Strategy

Responsible Department/Agency: ISC The federal government is partnering with First Nations to develop a new First Nations housing and infrastructure strategy that would increase First Nation control over programming. A joint working group has drafted a 10- year strategy that includes housing on and off-reserve. The working group includes representatives from the Assembly of First Nations (AFN), Chiefs Committee on Housing and Infrastructure (CCoHI), Indigenous Services Canada (ISC), Canada Mortgage and Housing Corporation (CMHC) and Employment and Social Development Canada (ESDC).

[9]Federal/Provincial/Territorial Housing Partnership Framework

Responsible Department/Agency: **CMHC** The multilateral Housing Partnership Framework was endorsed on April 9, 2018 by Ministers responsible for housing from all provinces and territories except Quebec. The Framework guides how the federal, provincial, and territorial governments will work together on housing and how investments will be made in the provinces and territories through the National Housing Strategy. It sets out a foundation for terms to be included in bilateral arrangements, including federal targets, principles, eligible use of funds, cost-matching requirements, and accountability mechanisms.

The summaries below present an overview of comments received from FN and their representative organizations, technical groups, and other interested parties, participants during engagement sessions on housing.

2017-2019 Engagement Session by the Federal Government

What We Heard About Housing
https://www.aadnc-aandc.gc.ca/eng/1531923485898/1531923627639#a-7

CMHC First Nations Housing

https://www.cmhc-schl.gc.ca/search#q=First%20Nations%20Housing

The Seed Funding program provides interest-free loans and grants for Indigenous or non-Indigenous housing projects that span the housing continuum, from shelters and supportive housing to mixed-use market and affordable rental projects.

CMHC has numerous programs directed towards First Nations organizations. Most programs are targeted towards housing projects on-reserve, but may also be available to First Nations with land claims.

The most substantial CMHC funding program for First Nations communities is the On-Reserve Non Profit

[8] https://www.sac-isc.gc.ca/eng/1100100010715/1521125087940
[9] https://www.cmhc-schl.gc.ca/en/nhs/federal-provincial-territorial-housing-agreements

Housing Program (Section 95), which provides subsidies and loans for development and management of non-profit housing. This program is available to First Nations with land claims who no longer have reserve lands, but can only be used for housing on former reserve lands or Land Set Aside. Other CMHC First Nations funding programs provide support for aging in place, home repairs, shelters for individuals fleeing domestic violence, and housing proposal development.

A total of $1.02 billion was allocated to on-reserve First Nation housing from Budgets 2016, 2017, and 2018. The funding is being delivered by ISC through a proposal-driven process. The process was open to First Nations with land claims.

Interesting information

Responsible Department/Agency: **Environment and Climate Change Canada** [10]The Pan-Canadian Framework on Clean Growth and Climate Change Program is the federal plan to meet emissions reduction targets. It was developed and endorsed by the Canadian, provincial, and territorial First Ministers (with the exception of Saskatchewan). The framework was released in 2016 and includes actions to reduce emissions across multiple sectors, adapt to climate change, and develop clean technology.

Several initiatives relevant to housing have been announced under the Framework, including funding to help communities prepare for climate change, development of more energy efficient building codes, collaboration with Indigenous communities on improving energy efficiency of buildings and reducing the reliance of Northern communities on diesel.

Environment and Climate Change Canada's Leadership Fund provides funding to provinces and territories that have adopted the framework in order to support their initiatives to reduce greenhouse gas emissions, including initiatives that help homeowners reduce energy consumption. '

Research and Innovation

Responsible Department/Agencies: **CMHC, NATIONAL RESEARCH COUNCIL (NRC), NATIONAL RESOURCES CANADA (NRCAN), CIRNA** Budget 2017 included new investments for housing-related research. The National Housing Strategy includes a research and planning fund to support research performed by non-profits and charities.

EXISTING BARRIERS and CHALLENGES

Funding and Revenue

- Social housing agreements that have delivered stable funding for several decades are coming to an end. Funds will be needed on a long-term basis to replace the funding delivered through the agreements
- Public housing stock is rapidly aging, increasing the costs of maintenance. Much of the stock was built over 30 years ago. Housing authorities face challenges collecting rent because tenants face challenges with affordability.

Engagement

[10] https://www.canada.ca/en/services/environment/weather/climatechange/pan-canadian-framework.html

- More community involvement and engagement is needed to ensure that housing program planning meets the needs of the community and that the community understands the responsibility of each member in renting or homeownership. A change in how members view housing in their community needs to happen.

Long Term Planning

- Housing programs are often reactive instead of proactive. Programs struggle to take on strategic planning.
- Program planning often has not adequately taken demographic forecasting into account.
- Maintaining the construction workforce and training activities requires continuous funding.

Best Practices This section presents a sample of best practices from organizations located in reserves across Canada. The FN were selected based on their applicability to key challenges faced, including cost-efficiency, capacity, energy-efficiency, and durability.

Kitasoo Housing Policy
https://klemtu.com/housing-policy/

Kitasoo provides a full range of housing options for members.

Lheidli T'enneh First Nation

http://www.lheidli.ca/Documents/611-LheidliTenneh-HousingPolicy_002.pdf

Members have different options for rentals and homeownership

ʔAkisq̓nuk First Nation
https://akisqnuk.civicweb.net/document/37383

Developed their own home grant program to promote homeownership.

Animbiigoo Zaagi'igan Anishinaabek FN

http://azaccp.ca/wp-content/uploads/AZA-CCP-web.pdf

Developing a comprehensive housing strategy and housing policy to encompass all housing options for members who would like to move back to the reserve.

Atikameksheng Anishnawbek First Nation - Ontario

http://www.atikamekshenganishnawbek.ca/site/administration/housing/

Housing Program provides all services to all Band Members who required

housing related assistance. The housing program provides advice to those members who wish to become homeowners, as well as those who require a residential rental unit.

Batchewana First Nation of Ojibways - Ontario

https://batchewana.ca/departments/housing/

Offers members housing ownership with a rent to own housing program.

Cooks Ferry Indian Band - BC

http://www.cooksferryband.ca/application/files/5415/5027/5475/Cooks_Ferry_Band_Housing_Policy_2017_Approved_Oc tober_11_2017_AMENDED_Aug13_18-Final.compressed.pdf

Section 10 Ministerial Loan Guarantee Program is the key source of funding for members who wish to purchase, build or fix up a home on the reserve.

Curve Lake First Nation - Manitoba

https://www.curvelakefirstnation.ca/services-departments/community-infrastructure-housing/

Supports full range of home ownership options as well as rental housing. Also helps members wanting safe housing on and off reserve.

Delaware First Nation, Ontario

http://delawarenation.on.ca/housing-and-lands/

Full range of options for those wanting to own a home including the BOM Housing Loan Program.

Cree Nation of Eastmain, PQ

http://www.eastmain.ca/Publications/CNE%20MBHousingP.pdf

Actively promoting homeownership by offering members options to different types of loans and rental arrangements.

FISHER RIVER MARKET HOUSING PROGRAM

https://www.fisherriver.ca/fisher-river-market-housing-program/

About the Fund - On April 20, 2007, Canada's Government announced that it would create the $300 million First Nations Market Housing Fund (Fund). This

Fund was developed to facilitate and broaden the range of housing options for residents of First Nations communities so that they may have the same housing choices and opportunities as people in non First Nation Communities. The Fund will build on the work of the Assembly of First Nations and the successes of innovative communities in order to bring more market-based housing to First Nations in a manner that respects reserve lands are communally owned. There are a number of unique barriers to the existence of home ownership and rental housing markets on-reserve. These barriers are related to factors such as the unique land tenure regime on-reserve, the remote location of many on-reserve communities and limited access to private financing in the form of mortgages or housing loans. One of the main impediments to market-based housing is a lack of access to financing for housing on-reserve because of the Indian Act provisions which limit seizure of property on-reserve to a First Nations community or its members. As a result mortgage security is not available. The new Fund will establish a Credit Enhancement Facility. This will help individuals on-reserve and on settlement lands where appropriate, to obtain loans, where their First Nation meets certain criteria, such as a demonstrated ability to manage their finances, loans and housing.

Beausoleil First Nation - Ontario

http://www.chimnissing.ca/housing.html

Members have access to a full range of housing programs to buy or rent in the community.

Hiawatha First Nation - Ontario

http://www.hiawathafirstnation.com/services-departments/housing/

Members have a full range of options for housing in the community from rentals to homeownership

*****James Smith Cree Nation*****

http://www.jamessmithcreenation.com/bandoffice/housing/index.html

Housing is a Treaty Right. The James Smith Cree Nation, Peter Chapman Cree Nation, Chakastapasin Cree Nation believe that all housing units are held collectively for the benefit of all Band Members. Therefore, housing units are NOT owned by the individual band members and cannot be sold.

Kettle and Stony Point FN, Ontario

https://kettlepoint.org/housing-department

Ensures that all members have access to housing in the community through

rentals, homeownership financing programs for homes and new construction.

Kitigan Zibi FN, Quebec

http://kzadmin.com/KZADepartments.aspx#construct

Increased difficulties for members to access loans from financial institutes for on reserve housing, the nation has developed a revolving loan fund for members.

Lac des Mille Lacs First Nation (LDMLFN), Ontario

http://lacdesmillelacsfirstnation.ca/assets/uploads/PDF/Housing%20Policy%20-%20Finalized.pdf

Once members receive a lot, they have to get their own financing without support from nation.

Long Plain First Nation, Manitoba

https://www.lpband.ca/housing-department

With a growing need for housing, CMHC funding is not enough and so the nation has introduced a market housing fund for members wishing to buy and existing home or to construct a new home.

Mohawk Akwesasne, Ontario and Quebec

http://www.akwesasne.ca/housing/

Members have several options for homeownership for on reserve as well as options to rent.

Moose Cree First Nation, Ontario

https://www.moosecree.com/documents/policies/MCFN_housingpolicy.pdf

Nation offers rent to own, rent, and homeownership and promises that all processes for housing will be fair and equitable for all.

Muskeg Lake FN, Sask

https://muskeglake.com/services/housing-public-works/

Encourages members to use the First Nations Market Housing Fund and offers rentals as well.

Nisichawayasihk Cree Nation (NCN), Manitoba

https://ncnwc.life/

Homes are made available for ownership or rental on leased land from the Nation. Nation also offers training and education so members understand their responsibility as tenants.

Miawpukek Band, Newfoundland

http://www.mfngov.ca/wp-content/uploads/2015/05/Miawpukek-Market-Housing-Policies-For-Community-Review-July-24-2015.pdf

The Miawupkek First Nation market based housing program has been developed in conjunction with the First Nations Market Housing Fund and approved lenders. The objective of the program is to provide community members access to affordable and competitive mortgages and loans in order to build, purchase, renovate or refinance homes on Miawpukek.

Mohawks of the Bay of Quinte, Ontario

http://www.mbq-tmt.org/administration-and-services/housing-sustainable-development/housing-programs

The Housing program exists to help meet the shelter needs of all Mohawks of the Bay of Quinte Members who wish to reside on the Territory. The Housing program provides services and initiatives to applicants who require assistance to build, buy, renovate or rent a home on the Tyendinaga Mohawk Territory.

They offer three options to fund building or buying a new home on the Territory: Revolving Mortgage Program, Market Based Housing, and Private funding

Ojibs of Pic River, Ontario
http://www.picriver.com/index.pl?page=38&top=34

The First Nation Capital/Housing Program implements a wide array of programs to encourage homeownership from direct lending to CMHC Housing programs. The nation encourages involvement by members by asking them to look for new concepts for housing in the community.

Oneida Nation of the Thames, Ontario

https://oneida.on.ca/wp-content/uploads/2016/02/housing_policy_procedures_guidelines_approved_by_oneida_council_feb_3_2015.pdf

The Nation offers a mix of housing options for members whether it be rental or homeownership. The Housing Dept offers information and training sessions from agencies and organizations on a wide range of housing options available to FN.

Paqqtneke Nation, Nova Scotia

http://paqtnkek.ca/wp-content/uploads/2019/02/Paqtnkek-Housing-Policy.pdf

A variety of housing options are available to members on the reserve from rentals to homeownership. Members are also able to get funds to repair homes.

Pasqua First Nation, Sask

https://www.pasquafn.ca/fileadmin/user_upload/bandmeetings/2016-6-15/PASQUA%20FIRST%20NATION%20Presentation%20-%20Housing%20Report%20-%20June%2015%20%2016%20-%202016.pdf

Part of a joint venture that invests in homes off reserve for members under the affordable homeownership program.

Potlotek First Nation, NS

http://potlotek.ca/housing

An innovative approach to managing housing monies has allowed the Potlotek First Nation to build more homes. In partnership with the Royal Bank of Canada Aboriginal Banking Services, the band has a revolving $250,000 housing loan which can be drawn on for the construction of new homes.

With the help of this loan, the band has been able to construct 11 new homes this year with six already occupied. All of the homes are built by local Mi'kmaw contractors. The Band Council has invested $950,000 for the construction of new homes to date.

Skownan First Nation, Manitoba
http://skofn.com/membership-services/housing-corporation/

Members have a full range of housing options for living on reserve.

Recommendations based on research:

Based on the research, the researcher ascertains that economics in the communities and social issues are two of the biggest reasons for success or failure in building homes in First Nations communities.

Many nations do not have the capacity nor the funding to adequately house members who may choose to move back to the reserve. Those nations that have reserves close to major urban centres have more opportunity because members typically have employment which allows them to pay rent or if they choose, apply for a mortgage.

Social issues due to intergenerational trauma and residential schools continue on most reserves. These issues make it difficult for nations who offer housing to collect rent or mortgage payments which puts the First Nations in debt. Furthermore, those members who would like to move back to the reserve are hesitant due to social issues in the communities. Some nations have realized this and offer many packages to help those who wish to move back to the reserve.

One final note. The population of First Nations in Canada is quite [11]young, therefore investment in housing that accommodates single people is up and coming and needs to be considered.

[11] https://www150.statcan.gc.ca/n1/pub/89-645-x/2010001/c-g/c-g002-eng.htm

Appendix G

Sample Point Systems for Use in Housing Management

Applicant Scoring Procedure

Applicant Scoring

Overview

M'akola uses a "Housing Needs Category" system for prioritizing applicants. Candidates with the highest needs are housed first. Within each category, applicants are prioritized based on application date.

This means that M'akola will always offer housing to applicants with the:

1. highest needs and;
2. earliest application date

Housing will be offered to lower need households only when there are no applicants on the waitlist in higher need categories.

In all cases HIL's and National Occupancy Standards are applicable. This means that candidates can only be offered units if they satisfy HILs and an appropriately sized unit becomes available.

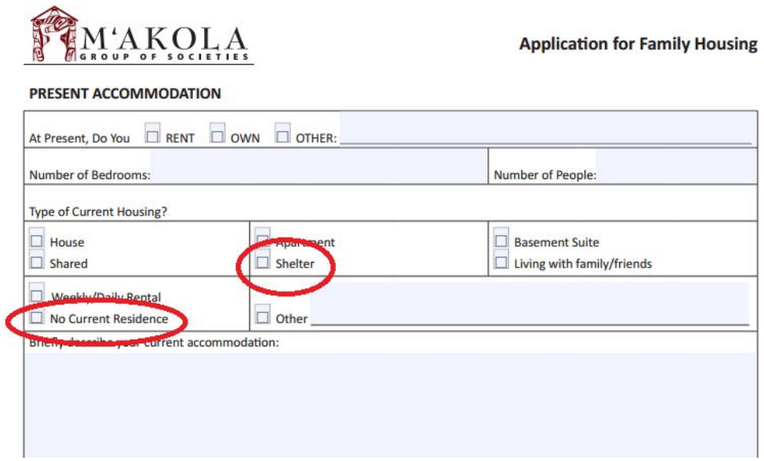
The Housing Needs Categories are as follows:

A	Applicants facing a severe risk to health and/or safety, such as homelessness or living in a homeless shelter.
B	Applicants with serious health/medical/social needs, such as risk of homelessness, fleeing domestic abuse, living in severely inadequate housing, or transitioning to a more independent living situation.
C	Applicants whose housing need is moderate compared with the two previous categories, such as living in temporary or inadequate accommodation.
D	Applicants with a specialized housing need or low housing need, such as living in marginally crowded housing.
E	Applicants for the low end market units found in some subsidized buildings.
H	Hulitan Referrals

Scoring Applicants from the M'akola Housing Application form

Category A - "Applicants facing a severe risk to health and/or safety, such as homelessness or living in a homeless shelter."

Category A applicants would answer yes to “Shelter” or “No Current Residence”. Applicants with any other form of current residence would not fall into this category.



M'AKOLA GROUP OF SOCIETIES

Application for Family Housing

PRESENT ACCOMMODATION

At Present, Do You ☐ RENT ☐ OWN ☐ OTHER: _____

Number of Bedrooms: | Number of People:

Type of Current Housing?

☐ House ☐ Shared	☐ Apartment ☐ Shelter	☐ Basement Suite ☐ Living with family/friends
☐ Weekly/Daily Rental ☐ No Current Residence	☐ Other _____	

Briefly describe your current accommodation:

Category B – “Applicants with serious health/medical/social needs, such as risk of homelessness, fleeing domestic abuse, living in severely inadequate housing, or transitioning to a more independent living situation.”

Applicant would indicate this through answers to “Notice to End?” “Reasons for Moving” and “Do you have any Health and Safety concerns with current residence?” May require follow-up with applicant if unclear. This category is meant to include applicants at risk of homelessness or with health and safety their current. It is <u>not</u> meant to cover applicants who are over/under-housed, or applicants whose only issue is paying more than 30% of current income on rent.

Category C – “Applicants whose housing need is moderate compared with the two previous categories, such as living in temporary or inadequate accommodation.”

This would include tenants who are:

- Under-housed - Indicated by Current Rental size (# bedrooms) vs Family Size
- Currently paying more than 30% of their gross household income towards rent.

Category D – “Applicants with a specialized housing need or low housing need, such as living in marginally crowded housing.”

These applicants would be indicated under “Reason for Moving”. Includes such things as:

- relocating for medical reasons, schooling, etc.
- people living in moderately crowded conditions.

Category E – “Applicants for the low end market units found in some subsidized buildings.”

Category E applicants are currently living in situations that would otherwise be considered adequate and affordable. These applicants could be offered either MAR or MRGI units provided no higher need applicants are currently in the system.

Category H – Hulitan Referrals

Category H is used only for referals under the Hulitan IntensiveParent Support Program

Assigning Categories to Applicants in INFOtracker

INFOtracker uses a numeric scoring system. M’akola uses this and assigns scores as follows:

- Category A – 500 points
- Category B – 400 points
- Category C – 300 points
- Category D – 200 points
- Category E – 100 points
- Category H – 600 points

Applicants will be assigned one, and only one, point score. Cumulative scores will not be given.

M'AKOLA GROUP OF SOCIETIES

Housing Needs Categories – Application Scoring Worksheet

This document must be completed for each Applicant and must be stapled to the front of the original Application form, along with a copy of the Acknowledgement Letter, before being given to the Team Lead for checking and verification.

❑ Completed Scoring Worksheet	❑ Original Application	❑ Acknowledgment Letter (copy)

Date	Completed By	Applicant Name	Waitlist ID	Category Assigned

Checked by (Team Lead)_____

A	**Category A – HOMELESS - Applicants facing a severe risk to health and/or safety, such as homelessness or living in a homeless shelter.**	
	❑ Living In Shelter ❑ No Current Residence	Notes:
B	**Category B – RISK OF HOMELESSNESS OR SERIOUS HEALTH/SAFETY CONCERNS - Applicants with serious health/medical/social needs, such as risk of homelessness, fleeing domestic abuse, living in severely inadequate housing, or transitioning to a more independent living situation**	
	❑ Notice to End ❑ Health and Safety Concerns ❑ Abusive situation ❑ Severely Inadequate Housing	Notes:
C	**Category C – MODERATE NEED - Applicants whose housing need is moderate compared with the two previous categories, such as living in temporary or inadequate accommodation**	
	❑ Temporary Accommodation (describe) ❑ Rent + Utils Exceed 30% ❑ Moderate Health / Safety Concerns ❑ Under-housed (list family size and current # bedrooms)	Notes:

M'AKOLA GROUP OF SOCIETIES

D	**Category D – LOW HOUSING NEED- Applicants with a specialized housing need or low housing need, such as living in marginally crowded housing.**	
	❑ Marginally Crowded Conditions ❑ Other Reasons for Moving (relocating, school, family proximity)	Notes:
E	**Category E –MAR / LEM / Market- Applicants with a specialized housing need or low housing need, such as living in marginally crowded housing.**	
	❑ Desire to rent from M'akola ❑ Within HILs (MAR / LEM) ❑ Exceeding HILs (Market only)	Notes:
H	**Category H –HULITAN REFERALS – Referals from Hulitan under the Intensive Parent Support Program.**	
	Hulitan Contact_____ _____ Unit Size Required_____ Sites / Regions_____ _____	Notes:

Date Received by Admin	
Contact History -includes date of acknowledgement letter -any related contact with RPM -any other contact with Applicant Continue on back…	
Date Entered into INFOtracker	

Appendix H

Independent Housing Authority Information

ASSEMBLY of FIRST NATIONS • ASSEMBLÉE des PREMIÈRES NATIONS

Housing Authority Models

FIRST NATION MODELS: COMPARITIVE REPORT

Assembly of First Nations
May 2012

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FIRST NATION MODELS: COMPARITIVE REPORT

In examining the five possible community governance models for affordable housing initiatives outlined in the previous reports, it is evident that no matter the model chosen the governance body established to respond to community housing need will have to fulfill the roles of both property developer and property manager. The housing authority, in whatever way it is structured, will be responsible not only for acquiring and / or developing housing units and planning and creating policies for the administration of the housing portfolio, but also for actually administering the housing portfolio in such a way as to ensure the sustainability of the housing programs / projects that it has initiated.

On the one hand, this is a great opportunity for First Nations to engage on a very real, tangible level in self-governing and self-determining activities which could reduce First Nations reliance on and subjection to external funding, financing, and governing bodies for the creation and administration of programs that deal with such a basic and important aspect of life – the need of all people for affordable and adequate (safe, healthy) housing. On the other hand, we see evidence that the old saying is true, and that with great power comes indeed great responsibility, for while the power to determine for oneself what is important, relevant, necessary, etc. is perhaps the most basic and important of powers, and the power to govern for oneself the programs that respond to these needs in ways that are deemed most appropriate is the natural extension of this self-determination, it brings along with it a great deal of responsibility.

Whatever housing portfolio governance structure is established, the housing authority will have the responsibility to respond fully to the housing needs of all community members, including dealing with large issues such as acquiring funding and financing for programs, budgeting for program sustainability, and so on, and also the small, day-to-day minutiae of administering a housing portfolio that may go overlooked, such as performing daily, weekly, and monthly maintenance inspections of housing units and fulfilling monthly and quarterly reporting requirements.

It is for this reason that perhaps the most important decision made by Chief and Council will be the determination of how the housing portfolio will be governed and administered to best respond to the needs of the community for whom it is being administered. Council is in a position to decide for themselves and their community what extent of involvement the Council itself and community members will have in the administration of community housing, and what specific roles each will play. Many factors will obviously affect this decision, including the size and diversity of the portfolio as a response to identified community need (i.e. will the First Nation's housing portfolio consist mainly of rental housing developments or private homeownership initiatives or both? Will the First Nation engage in developing housing both on- and off- reserve? How many individuals / families are in need of housing immediately, and how many on a long-term basis? Is there a recognized need in the community for supportive service programs to complement housing programs?, etc.), the financial stability of the First Nation, expressed community interest in involvement, etc.

Based upon these and other factors specific to the First Nation in question, Chief and Council will have to choose one of the following five governance models for the administration of the Band's housing portfolio.

(1) HOUSING COMMITTEE ESTABLISHED BY CHIEF IN COUNCIL

Under this model of governance, Chief and Council delegates responsibility for certain aspects of the day-to-day administration and governance of the Nation's housing portfolio to a housing subcommittee (including housing authority) composed of community and housing-sector professional volunteers, while retaining ultimate decision-making authority. Under this division of responsibilities, Chief and Council would be responsible for acquiring funding and financing for all housing projects, and for creating policies to guide the financial and operational administration of housing projects with the assistance of the housing committee.

The housing committee would in turn be responsible for making policies to guide the day-to-day administration of the housing portfolio (including long-range planning, performing needs-assessment studies, budgeting, etc.) either in cooperation with Chief and Council or subject to the approval of Chief and Council. This ensures, ideally, that community concerns and views are represented in policies affecting housing in the community, while at the same time ensuring that committee members are unable to abuse their policy-making powers by making committee decisions subject to approval by a governing body (i.e. Chief and Council) that is directly politically accountable to the community at large.

The housing authority, in turn, is accountable to both the housing committee and Council, and is responsible for the administration of the policies and procedures created by the committee and Council for the day-to-day operation of the housing program(s). In order for this method of governance to function optimally, the First Nation would have to have a sound financial record and be willing to actively seek out external partnerships and funding / financing sources to ensure the viability of housing projects, and Chief and Council would have to be willing to play an active role in the planning, development, and implementation stages of housing development, while ensuring that housing policies are dictated by community need rather than political expediency.

(2) INDEPENDENT HOUSING AUTHORITY WITH BOARD

Under this model of governance, responsibility for the administration of the First Nation's housing portfolio is delegated to an independent housing authority with a volunteer-staffed Board of Directors by Chief in Council via corporate mandate. Policy-making authority is retained by Chief and Council, with community involvement being achieved through the creation of a socially-representative advisory Community Circle composed of community volunteers with an expressed interest in the housing issues.

The Community Circle is easily distinguishable from the housing committee of the previous model as it has no decision-making or policy-making authority, and exists only in relation to Chief and Council in an advisory capacity. The housing authority in this model is responsible for administering different aspects of the housing portfolio depending upon the amount of authority and specific responsibilities delegated by Chief and Council, but generally speaking is responsible for finding (but not acquiring) possible funding and financing sources for housing projects, for budgeting and planning for the administration of the housing portfolio (subject to approval by Chief and Council), for day-to-day decision-making subject to policies and procedures created by Chief and Council (i.e. evaluating resident applications, performing tenant rent contribution calculations, etc.), and for the general property-management related matters associated with housing programs / projects (i.e. performing inspections and maintenance duties, reporting to Chief and Council, monitoring new construction and renovations, collecting housing payments, etc.).

As mentioned, the housing authority's Board of Directors will be staffed by unpaid, elected volunteers from the community and from the housing sector, and it is expected that Council will have some political representation on the Board. On the one hand, political representation may heighten community accountability through traditional democratic processes – i.e. if the political representatives on the Board of the Housing Committee do not perform their duties to the satisfaction of the community, then they may not be asked to return to their positions once their initial term is complete.

On the other hand, having a Housing Authority that is so closely intertwined with local political institutions may mean that housing programs are dictated by political will rather than genuine community need – i.e. if the government's voter-base is identified as primarily consisting of middle-income families they may focus their activities on providing homeownership financing options for these families while ignoring, say, low- or fixed- income elderly individuals in the community who are in need of supportive rental housing programs.

As the policy-making arm of this governance model is already entirely political, to have a strong political presence on the Board of the authority could prove difficult to balance, to say nothing of difficulties that would arise regarding program continuance as a result of a change of government.

(3) BAND-OWNED HOUSING COOPERATIVE

Under this model of governance, Chief and Council would provide interested community members with the opportunity to enter into a cooperative agreement whereby they would gain the responsibility and authority to govern community housing for themselves. The housing portfolio would be established as a Band-owned housing cooperative organization governed by an independent Board of Directors composed entirely of unpaid, elected volunteers from the community and housing sector, with the possibility for Council representation on the Board.

Precisely what powers the Board will exercise depends entirely upon the powers granted the Board in the co-op's Memorandum and Rules, but generally speaking Board members are responsible for reviewing and approving budgets, plans, and financial reports and finding program financial resources (i.e. acquiring grants, entering into funding / subsidizing partnerships with the Council or other institution, raising capital, etc.) in addition to fulfilling the other general governance and property management functions required of any affordable housing provider.

Of all the community governance models, the cooperative model is the most purely democratic in structure, with all cooperative tenants being cooperative members and thus sharing in the responsibility for creating and developing the policies and procedures that will be administered on their behalf by the cooperative Board of Directors. Chief and Council is pretty much removed entirely from the governance of the housing portfolio in this model, though it is recommended that they require annual financial and operational reports from the Board of Directors in order to ensure that they are governing the housing portfolio in accordance with their mandate. Cooperatives are also intrinsically accountable via their democratic organizational structure, and through provincial legislation governing certain aspects of the operations of cooperative organizations.

Although political influence concerns are practically non-existent in this governance model, difficulties may still be encountered by the co-op in trying to find community members willing to serve as volunteers on the Board, and housing cooperatives may encounter problems in raising sufficient equity to finance projects where provincial support is unavailable or insufficient and co-op members are unable to provide sufficient equity themselves.

However, once cooperative housing developments are up-and-running, it is generally agreed that the benefits associated with hands-on community governance outweigh the difficulties by fostering a sense of community ownership and pride. Cooperative developments are generally very well-managed and maintained properties for the very simple reason that the developers and managers have a vested interest in ensuring that developments are well-maintained as residents and / or members of the cooperative.

(4) HOUSING AUTHORITY AS COUNCIL-MANDATED NON-PROFIT CORPORATE ENTITY

Under this model of governance, responsibility for the administration of the First Nation's housing portfolio is mandated by Chief and Council to a community-owned non-profit corporation administered by an elected, volunteer-run Board of Directors on behalf of the community. The operations of the corporation, including reporting requirements, will be governed by the mandate issued by Chief and Council as well as by provincial legislation governing the incorporation of non-profit societies and the non-profit's own Constitution and Bylaws, thus ensuring accountability to the Council, to society members, and to the community at large on behalf of whom the corporation operates.

It is expected that Chief in Council will have some form of representation on the society's Board, however the society will operate entirely outside of Council's day-to-day

operations. The Board of Directors is responsible for developing the society's Constitution and Bylaws and outlining the society's goals and general purpose in cooperation with other society members, in addition to reporting annually to Chief in Council on all aspects of the society's operations. Community ownership of the corporation enables community involvement in the corporation's activities, as all community members are eligible to become society members and thus to have a vote and voice at society meetings.

Thus control of community housing is effectively in the hands of the community members, as in the case of cooperative housing developments, and political influence being brought to bear on housing authority operations is for the most part avoided while still ensuring community accountability.

As a capitalized corporate entity, the non-profit corporation is able to independently raise funds and acquire financing for housing projects and to act as guarantor for community members seeking financing from external sources. Any limitations to the society's authority to make independent legal agreements / arrangements affecting Band resources would be clearly defined by Chief in Council in issuing the society the mandate for administration of the housing portfolio.

This model of governance has the added positive feature of removing contingent liability for new housing developments from the Band's financial portfolio and moving it to the independent authority, thus minimizing the effects of risk to other Band financial ventures which is present in the first two governance models (Chief in Council Established Housing Committee and Independent Housing Authority with Board).

(5) HOUSING AUTHORITY AS INDEPENDENT THIRD-PARTY NON-PROFIT CORPORATION

Under this model of governance, responsibility for the administration of the First Nation's housing portfolio is removed entirely from the hands of Chief and Council and entrusted to an independently owned, governed, and administered third-party non-profit corporation. Council provides an independent non-profit corporation with the authority to govern and administer all aspects of the First Nation's housing portfolio, and the non-profit corporation is governed by an independent, volunteer-staffed Board of Directors with no political representation, although the corporation will be required to operate within the legal bounds of any Council Bylaws.

The Board of Directors will be composed of a mix of community and industry representatives who will create policies and procedures for the administration of the housing portfolio, raise funds and acquire financing for housing programs, and report annually to Chief and Council and the community on the operations of the corporation. The corporation will be responsible for all aspects of the development and maintenance / management of the Nation's housing, and in order to facilitate financing and homeownership initiatives will enter into a Land Trust agreement with Council. This Land Trust will acquire authority over Band lands and housing assets in trust for the Band.

Structurally speaking this model of administration could exist on a number of scales with different organizational structures. For example: a corporation could be responsible for the housing portfolio of only one First Nation, with agreements made at the local level between the independent corporation and the First Nation and policies and procedures for administration of the housing portfolio being entirely Band-specific; or, corporations could be structured as "umbrella corporations" at the provincial/territorial/regional levels to administer housing throughout the region with First Nations signing on individually, providing unifying guiding principles and criteria for the provision of housing in the region as a whole while at the same time allowing for autonomy of administration on a Nation-to-Nation level in order to account for differences in community situations and needs.

Community involvement will be achieved via a community circle (or numerous Circles, should the aggregate model of corporate organization be implemented) and representation on the corporation's Board of Directors. A Community Circle composed of representatives of the community will be formed in order to advise the housing authority corporation on matters specific to the community, including housing need (e.g. new home building versus improvement and modernization, rental housing versus homeownership programs, etc.), special program needs (e.g. Supportive Independent Living Programs or Supportive Seniors' Programs), cultural appropriateness, and so on. The Circle will have no governance authority, however it is essential to the optimal administration of the Nation's housing portfolio that community members be provided with an avenue by which to air concerns and it is advisable that the Authority take advantage of this valuable information source in setting policy and conducting its affairs.

In this model, Band liability for housing ventures is completely transferred to the corporation and is not reflected in any way in the Band's financial statements. In addition to this, any and all requests for financing from external financial institutions (including loans and mortgages for rental developments as well as the provision of loan guarantees for community members) will be evaluated against the corporation's financial statements rather than those of the Band, thus allowing Nations with unstable financial histories a sort of "buffer" between themselves and financial institutions, and further facilitating financing of homeownership and rental development programs. Accountability is ensured via reporting requirements outlined in the corporation's Constitution and Bylaws, provincial guidelines governing corporate record-keeping and reporting, and Council reporting requirements, as well as community accountability being enabled via the Community Circle discussed above.

ASSEMBLY of FIRST NATIONS • ASSEMBLÉE des PREMIÈRES NATIONS

Housing Authority Models

MODEL FIVE – HOUSING AUTHORITY AS INDEPENDENT THIRD PARTY NON-PROFIT CORPORATE ENTITY

Assembly of First Nations
May 2012

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- MODEL FIVE – HOUSING AUTHORITY AS INDEPENDENT THIRD PARTY NON-PROFIT CORPORATE ENTITY

GOVERNANCE

RESPONSIBILITIES

In this model of governance, the administration of the First Nation's housing portfolio in its entirety is the responsibility of an independently owned, governed, and administered third party non-profit corporation. Thus the corporation acts as both property developer and property manager, removing responsibility for the housing portfolio entirely from the hands of the Council. Structurally speaking this model of administration could exist on a number of scales with different organizational structures. For example: a corporation could be responsible for the housing portfolio of only one First Nation, with agreements made at the local level between the independent corporation and the First Nation and policies and procedures for administration of the housing portfolio being entirely Band-specific; or, corporations could be structured as "umbrella corporations" at the provincial/territorial/regional levels to administer housing throughout the region with First Nations signing on individually, providing unifying guiding principles and criteria for the provision of housing in the region as a whole while at the same time allowing for autonomy of administration on a Nation-to-Nation level in order to account for differences in community situations and needs.

Chief in Council

Chief in Council is responsible for providing an independent corporation with the authority to administer housing for the First Nation.

Housing Authority - Independent Corporation

As mentioned, under this model of governance the responsibilities of housing authority for the First Nation are fulfilled by an entirely independent third-party corporation with a mandate to meet all of the First Nation's housing needs. Whatever the organizational structure or scale of this model of governance, the governance structure of the corporation itself will of necessity resemble the typical governance structure of a non-profit corporation with a few special requirements to reflect the importance of community input and involvement. Community involvement will be achieved via a community circle (or numerous Circles, should the aggregate model of corporate organization be implemented) and representation on the corporation's Board of Directors.

Community Circle

A Community Circle composed of representatives of the community will be formed in order to advise the housing authority corporation on matters specific to the community, including housing need (e.g. new home building versus improvement and modernization, rental housing versus homeownership programs, etc.), special program needs (e.g. Supportive Independent Living Programs or Supportive Seniors' Programs), cultural appropriateness, and so on. The Circle will have no governance authority, however it is essential to the optimal administration of the Nation's housing portfolio that community

members be provided with an avenue by which to air concerns and it is advisable that the Authority take advantage of this valuable information source in setting policy and conducting its affairs.

Board of Directors
The Board of Directors of the corporation will be composed of a mix of community representatives and industry representatives from both inside and outside the community who will be elected or appointed to their positions, and will serve as volunteers. There will be no political (Band Council) representation on the Board of Directors. The Board of Directors is responsible for developing the society's Constitution and Bylaws and outlining the society's goals and general, in addition to reporting annually to Chief in Council and the community on all aspects of the company's operations. The Board is also responsible for: establishing standards of conduct for members that are in keeping with the goals and principles of the society; ensuring that all legal and financial responsibilities are met; and developing procedures for the implementation of policies in order to meet the goals of the society. The specific powers exercised by the Board will depend upon the powers granted the Board in the society's Constitution and Bylaws, but the Board of a non-profit corporation is generally responsible for fulfilling the following five functions:

Decision Making
- Making decisions to guide the welfare and operation of the corporation; and
- Delegating daily management activities to staff, volunteers and/or society members.

Advisory
- Ensuring members and staff of the society are up-to-date on changes to laws that govern the society's operations;
- Advising on problems that affect the society and providing possible solutions to those problems;
- Educating society members and staff regarding the structure of the organization and informing them of how they may participate; and
- Explaining to members and staff why policies and recommendations are adopted and how they affect the society.

Trustee
- Responsible for representing the corporation in all legal areas;
- Ensuring the organization does not exceed its legal authority while at the same time meeting its legal obligations;
- Ensuring that the society's Bylaws are enforced or amended as required;
- Ensuring effective financial management; and
- Evaluating committee and staff performance.

Sustainability
- Ensuring members are provided with current information affecting the society;
- Conducting long-range planning;

- Developing and implementing an evaluation system members can use to provide feedback;
- Hiring and supporting competent staff;
- Setting up education and training programs to develop and train a pool of potential Board and committee members, volunteers, and staff;
- Establishing election procedures to guide members in selecting effective directors; and
- Establishing appropriate limits to terms served on the Board.

Leadership
- Creating an environment of respect for people's opinions;
- Providing recognition for individual abilities and contributions to the society;
- Achieving goals through reason and discussion; and
- Acting as a role model for other society members.

CONSTATING DOCUMENTS
Non-profit societies are in the position of being able to develop their own good governance policies and procedures to guide the operations of their organization. While there are necessary restrictions on their freedoms (for example, all policies must be in keeping with relevant legislation including employment and tenancy standards and human rights legislation, and financial record keeping must be in accordance with accepted accounting practices), there is enough latitude for societies to exercise self-determination through democratic decision-making. Essentially, it is the members themselves through their elected Board of Directors who decide the terms and goals of their membership and define how exactly governance of their society will be structured through the creation of a Constitution and Bylaws.

Non-Profit Corporation Constitution and Bylaws
Under provincial legislation governing the incorporation of non-profit societies, societies are required to develop a Constitution and Bylaws outlining the purpose of their society and clearly defining:

(1) How directors are elected and appointed to, and removed from, the Board;
(2) The duties and powers associated with directorship;
(3) The period of the society's fiscal year, and thus when annual meetings and reporting will take place; and
(4) The process for keeping corporate records (must be in keeping with directives identified in provincial non-profit incorporation legislation).

Conflict of Interest
As the body responsible for ensuring that legal and financial requirements are met and proper procedures followed, the Board is also responsible for ensuring that no conflicts of interest arise during the fulfillment of these duties. This is important in the context of non-profit societies because (i) conflicts of interest lead to an appearance of dishonesty and thus could cause distrust among members, and (ii) the very nature of non-profits denies the possibility of Board members profiting from their volunteer duties. A conflict of interest is said to occur when a Director's or Officer's business, family, or themselves

personally benefit as a direct result of their association with, or duties performed for, the society. Directors and Officers are not permitted to receive a salary or any other form of renumeration or compensation for performing their duties. Specific guidelines governing the reporting and resolving of conflicts of interest can be found in provincial society incorporation legislation.

MEETINGS

Because of the democratic organization of non-profit corporations, Board and member meetings are highly important to the decision-making processes of the company. How meetings are structured to ensure highest productivity, how often they will occur, and the requirements for calling a meeting will all be defined in a society's Constitution and Bylaws, and thus will vary company to company. Certain provinces have specific guidelines concerning non-profit society meetings and these will be outlined in the provincial legislation providing for non-profit incorporation. In Ontario, for example, societies are required to hold annual meetings, the first of which must be held no later than 18 months after incorporation and at least within every 15 months subsequently, and all meetings must be attended by a majority number of members of the Board unless the society makes special exceptions for this in its Bylaws.

EVALUATIONS

In order to ensure that a non-profit society continues to function optimally throughout the duration of its mandate, it is essential that all aspects of the governance of the society be evaluated regularly. The good governance practices of the company will dictate evaluation requirements, and these should be aimed at ensuring that the objectives and goals of the society evolve in order to remain relevant and that policies and procedures are being effectively administered in order to ensure that these objectives and goals are achieved. Evaluations should be conducted at least once annually by the Board of Directors, and the findings of these evaluations made available to the community and Chief in Council for review.

HUMAN RESOURCES

Staff and Volunteers

It is the responsibility of the society's Board of Directors to determine which jobs will be performed by staff, volunteers, and contractors and to budget and plan accordingly. This necessitates the development of clearly-defined and detailed hiring, training, and evaluation policies and procedures in order to ensure the smooth functioning of the society and its programs. It is also the Board's responsibility, as representative of the employing society, to ensure that all wage and safety standards and requirements are met in accordance with relevant provincial employment standards legislation, and that the rights of employees are respected and enforced as outlined in the relevant provincial human rights code.

Property Management Companies

Numerous non-profit housing developers hire property management companies to see to the day-to-day operations of their developments. In this case, it is likely that subcommittees within the corporation itself would take on responsibility for

managements duties, however should the company choose to contract-out management work it is important for the company clearly explain to the management company the special operational and governance structures of non-profit developments. The Board of Directors is responsible for overseeing the work of management companies to ensure that they are performing their duties in accordance with the goals and principles of the society.

Contractors

The term 'contractor' encompasses all trades-people (plumbers, electricians, dry-wallers, etc.) and consultants (financial and legal consultants and so on) hired by the organization on a contractual basis to complete specific tasks. Contracting legislation varies province to province, and it is thus important that the Board remain up-to-date on the relevant legislation to ensure that its dealings with contractors are undertaken with respect for transparency and fairness.

OPERATIONS

RESIDENT RELATIONS

Tenant Eligibility Policy

It is essential that the Board of Directors of the non-profit company establish clear tenant eligibility policies for each non-profit housing development, detailing the society's tenant-selection criteria. The policies must be in keeping with the requirements of the society's operating agreement as well as relevant legislation concerning tenancy and human rights, and should be designed to ensure that selection criteria are applied consistently and fairly to all applicants and are aimed at meeting local housing needs.

Discrimination

The operating agreements for all subsidized housing units will contain an anti-discrimination clause to ensure that public funds are not being administered / distributed in a discriminatory fashion. Unacceptable / prohibited grounds of discrimination vary province-to-province depending upon what grounds have been included in or read into the province's human rights code, but generally include: race, religion, place of origin, gender, marital status, ancestry, etcetera. *However*, it is acceptable for a society to develop tenant eligibility criteria that are designed to target a specific group of people the assistance of whom is the stated purpose of the society. For example, a society that engages in housing development projects for the purpose of providing affordable housing to First Nations people can include in its tenant eligibility policies the requirement that individual applicants or applicant families be members of a First Nation without this constituting discrimination.

Calculating Rent / Housing Contributions

Rent / housing payment calculating is the process whereby non-profit affordable housing providers determine what quantity of rent/ housing payment each household will be required to pay each month, and is meant to ensure that all subsidized affordable housing residents in a development pay an equal portion of their monthly income toward shelter.

Methods for calculating rent contributions will vary depending upon what, if any, subsidizing partnerships are established by the Board, and generally change to reflect whether or not members are receiving income assistance. As a general rule the Canadian government has determined that for housing to be considered "affordable" individuals / families must not be required to pay more than 30% of their gross monthly income toward shelter, be it rental or mortgage payments.

Appeals Process

Band members are eligible to appeal any decision made by the housing company regarding the selection process for rental allocation and loans, and it is recommended that they also be able to appeal decisions regarding calculations of financial assistance amounts. Appeals must be made within 10 days of receipt of selection or calculation decisions, and delivered in writing to the Board of Directors. An appeal will be held at the next Board meeting if one is scheduled within the next 2 weeks, and if not then the Chair of the Board is responsible for calling a special meeting. The Appellant will be given the opportunity to present his/her case at the meeting, and then the Board will be left to deliberate in private and review the case. Whatever decision the Board comes to on the matter will be considered final.

AGREEMENTS

When establishing non-profit housing programs, it is important to ensure that all agreements concerning the non-profit society are clearly documented and easily accessible to those affected by the agreements. This includes the society's operating agreement(s), occupancy agreements between tenants and the company as landlord, and the company's land trust / land lease agreement(s) (where applicable).

Operating Agreement(s)

Non-profit housing societies are generally required to establish operating agreements with their subsidizing / financing partner(s), if applicable (either CMHC, provincial / territorial or municipal subsidizing agency, or the First Nation's Band Council). The following should be included in operating agreements:

(i) Roles and responsibilities of the non-profit society and of the agency providing funding;
(ii) Budget and financial reporting requirements;
(iii) Eligibility criteria for selecting tenants, for calculating rent / housing contributions and performing rent / housing payment reviews;
(iv) Amount of rent subsidy payments, and how and when these will be transferred from the subsidizing agency to the society (if applicable);
(v) Operational review processes;
(vi) Record-keeping requirements;
(vii) Appeals policies and procedures; and
(viii) Minimum insurance and liability coverage.

Occupancy Agreements

Under provincial non-profit society incorporation and tenancy legislation, all organizations that take on the role of housing provider also take on all the responsibilities

traditionally and legally ascribed to landlords in their dealings with tenants. This includes the requirement of establishing occupancy (or "lease") agreements with residents where occupants are renters, and homeownership agreements where the authority is operating private homeownership or rent-to-own programs. These agreements document the terms and conditions associated with particular tenancies, including: length of tenancy; amount of rent or housing / mortgage payments, when rent / housing / mortgage payments are due, and the consequences of late or non-payment of rent / housing / mortgage payments; how a tenancy can be terminated by either party; responsibility for unit maintenance; and so on. It is the responsibility of the authority as landlord to ensure that all parts of occupancy agreements are in keeping with the occupancy requirements laid out in provincial non-profit incorporation legislation and tenancy acts.

Land Trusts and Land Lease Agreements

Under the 1999 First Nations Land Management Act, many First Nations are beginning to take back ownership and management rights and responsibilities for reserve lands that had been, and for the majority of First Nations continue to be, held "in trust" for their use by the Crown. As managers of their own land, First Nations have the same rights and responsibilities as other community / municipal land owners, including the right to make decisions regarding zoning and land use, the right to profit from ownership of the land, etc. Under this model of governance, First Nations who find themselves in the position to take advantage of such an opportunity would cooperate with Indian and Northern Affairs Canada to transfer authority for the management of First Nations land to the incorporated non-profit housing company via a Land Trust agreement, whereby the company would be entrusted with 'ownership' of development lands on behalf of the community. The company would then be able to designate particular parcels of land for housing development (known as Land Trusts), lease the land to Band members via Land Lease agreements, and use ownership of the land as equity in order to guarantee loans for financial institutions providing financing to on-reserve homeowners. Where an organization / individual does not own the land upon which their development is located, or upon which they desire to develop, they enter into a legal agreement with the owner of the land (here, the company in trust for the community) by which the organization / individual acquires the right to occupy and develop the land not owned by them. The organization / individual leasing the land then becomes responsible for the payment of property taxes (where applicable) and other financial obligations including those associated with the maintenance and operation of the development and grounds, and also becomes the owner of any and all improvements made by them to the land during and for the duration of the lease. Where trust ownership of the land rested with the company, the company would be in a position to set long lease terms (up to 99 years) at low rates in order to facilitate affordable ownership options.

RECORDS MANAGEMENT

Administrative policies and procedures governing records-keeping for non-profit housing companies are much the same as for other organizations and corporations, and detailed descriptions of requirements are found in provincial non-profit incorporation legislation as well as the society's operating agreements. Detailed and up-to-date records of all

corporate, administrative, operational, and tenancy-related matters must be maintained separately for each development, and are generally understood to include the following:

Corporate Records
Provincial non-profit incorporation legislation requires that societies maintain up-to-date and comprehensive corporate records, including: copies of the society's Constitution and Bylaws, operating agreements and copies of relevant legislation, and member lists.

Administrative Records
These records include: financial, personnel, and membership information; documentation of legal issues; copies of all reports and agreements; records of meetings; insurance information; and so on.

Operational Records
These records include: program information; building records (including architectural sketches and portfolios, equipments-related information, and safety inspection information); and other day-to-day operational records of the company.

Applicant and Resident Files
These records must contain all personal and financial information concerning all applicants and tenants gathered during the course of the application process and during tenancy. These records must also include copies of occupancy agreements, correspondences, and other pertinent information.

FINANCIAL MANAGEMENT

POLICIES AND PROCEDURES
It is essential that companies engaged in affordable housing development establish realistic financial policies and procedures to govern all aspects of the developments' financial operations. Day-to-day financial aspects of the operation of the company's housing programs will be delegated to the housing manager/coordinator, with the Board of Directors acting as the monitoring entity, and depending upon the conditions outlined in the society's Constitution and Bylaws, may be required to approve expenditures made by the manager in his/her daily operations. Required financial policy areas generally include: spending authority, rental / housing / mortgage payments (how monthly shelter payments are calculated and how they must be paid, etc.), financial reporting and record-keeping requirements, and purchase of goods and services.

SPENDING AUTHORITY
It is recommended that spending authority be limited to a small number of senior Board members who are accountable to the company as a whole. It is common practice for there to be varying levels of spending authority, where for example any senior Board member (Chair, Vice-Chair, Secretary, etc.) might authorize an expenditure of less than $15,000 but expenditures of more than $15,000 would be subject to a majority-vote by all members of the Board.

OPERATING BUDGET
It is a good governance practice for all housing providers to develop annual operating budgets to guide the financial administration of their operations throughout the fiscal year. Non-profit housing developers are required to submit operating budgets to their subsidizing partner(s) subject to the terms of their operating agreement(s) where applicable. Operating budgets should be completed annually and should contain the following categories of information which will later be mirrored in the company's financial statements:

Revenues
- Tenant rent revenue
- Housing / mortgage revenues
- Subsidies [including RGI subsidies and non-RGI repayable assistance]
- Grants
- Loans
- Special payments received from the subsidizing agent to fund special projects
- Modernization and improvement payments
- Interest revenue
- Land Lease revenue (where applicable)
- Other revenue [e.g. revenue from laundry facilities/services, commercial leasing, parking, etc.]
- Etc.

Expenses
- Property taxes and licenses
- Land lease payments (where applicable)
- Insurance payments
- Utilities
- Maintenance [includes maintenance staff salaries, grounds maintenance, service contracts, etc.]
- Administration [office overhead, administration salaries, accounting fees, etc.]
- Replacement reserve
- Mortgage payments
- Modernization and improvements
- Extraordinary expenses
- Etc.

REPLACEMENT RESERVE FUNDS
It is highly recommended that non-profit housing developers maintain replacement reserve funds in order to ensure that essential items can be replaced as needed. Replacement reserve funds are used to replace items such as floor coverings, appliances, window coverings, and so on, once they have exceeded their useful life. A separate bank account should be maintained solely for the reserve fund, and it is generally accepted that if reserve funds are to be invested they are only to be invested in "secure" ventures such as savings and checking accounts, term deposits, government bonds, and so on. It is a good idea for any housing developer with limited resources or insecure funding to maintain a replacement reserve fund as a mechanism for ensuring the sustainability of the development.

Calculating Replacement Reserve Funds
The amount of reserve funding required will vary development by development, and should be calculated within the first year of operation and deposits made into the fund account either on a monthly or annual basis. The method for calculating required replacement reserve funds is as follows:

(cost of item **x** number of items**)** **÷** estimated / average useful life of item

This calculation must be completed for all replaceable items, and then the figures added together. The resulting figure represents the total amount of money that must be deposited into the replacement reserve fund annually in order to cover necessary expenditures over the life of the development. Generally, replacement reserves are funded via subsidy transfers from the society/company's subsidizing partner or directly by the housing company itself.

FUNDING / FINANCING
Under this model of governance, acquiring funding and financing for housing programs is the sole responsibility of the company's Board of Directors. As a capitalized corporate entity, the non-profit corporation is able to independently raise funds and acquire financing for housing projects and to act as guarantor for community members seeking financing from external sources. This model of governance has the added positive feature of removing financial liability for new housing developments from the Band's financial portfolio and moving it to the independent authority, thus minimizing the effects of risk to other Band financial ventures.

PRIVATE HOMEOWNERSHIP FINANCING PROGRAMS
There are numerous options available to non-profit corporate housing authorities seeking to assist community members in pursuing private homeownership depending upon whether the company prefers to engage in direct financing or financial facilitation of homeownership initiatives, the three most common methods being: (1) acting as a loan guarantor, (2) the administration of a revolving loan / mortgage fund, and (3) the administration of a rent-to-own program.

Revolving Loan / Mortgage Programs
One way in which a non-profit incorporated authority can provide financing for potential homeowners is through what is known as a revolving loan or mortgage program. In this type of program, the Board would designate a capital fund to be administered by the housing manager/coordinator to eligible potential homeowners in the form of direct loans or mortgages which are paid back into the fund in monthly installments. When properly managed, revolving funds provide a sustainable funding source for community members in need of financial assistance while reducing community and individual reliance on external financing bodies such as the CMHC and other financial institutions.

Example: One successful example of a revolving mortgage fund can be found in the operations of Habitat for Humanity Affiliates, who are required to maintain a *Revolving Fund for Humanity* in order to provide long-term, interest-free mortgages to their

member families. They are able to sustain this practice by carefully screening applicants to ensure they will in fact be able to make their mortgage payments, and by mortgaging all houses twice, in order to ensure that (1) families pay low mortgage rates, and (2) participating families don't directly profit in the short term from ownership of the house by selling-up early.

First Mortgage
The first mortgage is meant to pay for the costs of building the house, with the home's value being calculated as the actual combined costs of construction (including the value of donated materials and the cost of purchased materials, administration costs, and labour costs or value if donated) and site acquisition and development. Generally, mortgage terms are calculated to be approximately 25 years, and payments are calculated on a sort of mortgage-geared-to-income basis, where families pay no more than 25%-30% of their gross monthly income toward mortgage payments, with adjustments being made to reflect increases or decreases in income.

Second Mortgage
The second mortgage is the one that is meant to ensure that homeowners don't take advantage of the generous terms of the first mortgage, which does not take into account the market value of the house. This mortgage is based upon the difference in value between the actual cost of the house (as represented by the first mortgage) and the fair market value of the house at the time of sale. This mortgage is forgiven either upon full payment of the first mortgage or at the end of the mortgage term, whichever is later. This means that if a homeowner pays off their first mortgage early and decides to sell their house in order to take advantage of a positive housing market, they are responsible for paying the second mortgage in full.

Loan Guarantees
Companies wanting to assist community members in financing homeownership but unwilling or unable for whatever reason to administer a revolving loan fund may choose to go the more 'traditional' route and act as guarantors for members with insufficient equity who are applying to receive loans / mortgages from external financial institutions. In these situations, "[t]he professionalism of the Housing Administration and strength of […] [its] financial statements will be taken into account when negotiating with lenders." [Federation of Saskatchewan Indian Nations, 2005 : 66] Loans guaranteed by the company will be represented in the company's financial statements as a Contingent Liability. Essentially, the company, in acting as guarantor, removes the necessity of community members having to rely on ministerial and CMHC loan guarantees via Section 10 in order to obtain financing to facilitate homeownership, and removes from the Band the liability of having to guarantee loans itself on behalf of its members.

Rent-to-Own
Some First Nations communities in the United States administer affordable rent-to-own programs on reserve, where certain homes are designated as rental properties with the option of full private ownership. In the case of a rent-to-own program under this model of housing portfolio governance, the company would be responsible for funding and

financing the construction of homes which would then be rented to tenants with the understanding that the tenants may be eligible to purchase their homes once specific criteria have been met and satisfied. The length of time it will take the homebuyers to become homeowners is determined by the amount of time required by the homebuyer to pay the full calculated purchase price in calculated monthly occupancy payments. The two most common formulas for determining purchase price are (1) setting purchase price at seventy per cent (70%) of total construction cost, or (2) charging a set amount for all units based upon square footage. If neither of these two formulas is used and the company chooses to calculate purchase price based on some other method, the following factors should be kept in mind during calculations: operating costs, total construction and development costs, house size and type, and so on. Once a homebuyer has fulfilled all obligations outlined in the homebuyer agreement, the home will be eligible for conveyance (transfer of ownership). Obligations generally include: full payment of purchase price, payment of taxes and insurance coverage for the first year, payment of settlement and closing costs, and any other costs that the company deems appropriate and can justify. The society must adopt a policy to determine a point at which the balance owing on a home allows for issuing a notice of impending pay-off in full of the balance owing. Once the balance owing has been paid off and all legal steps taken, the title to the home is conveyed (transferred) from the company to the homebuyer. Counseling is made available by the company to first-time homeowners as they make the transition from homebuyer to homeowner to ensure that they are well-aware of their rights, duties, and obligations as homeowners, and it is recommended that homeowner counseling be mandatory for all homebuyers.

SUBSIDIZED RENTAL HOUSING PROGRAMS

Perhaps the most common option for non-profit companies seeking to provide affordable housing to community members, subsidized rental housing programs are an effective mechanism for alleviating the burdens shouldered by low-income individuals and families who would otherwise be forced to pay market rents for housing, and are adaptable to suit the varying, and sometimes special, needs of people both on- and off-reserve. Examples of specialized subsidized housing programs presently operating across Canada include: Supportive Seniors' Housing Programs, Urban Youth at Risk Programs, Low-Income Urban Singles Programs, various Supportive Independent Living Programs for people with mental and / or physical disabilities, and so on. These programs can either be funded independently by the company and administered by the housing manager, or the company may choose to take advantage of subsidizing partnerships with public or private subsidizing agencies, thus limiting their financial responsibilities but maintaining a high level of independence in the design and administration of programs. Subsidizing programs vary province-to-province and sometimes, as is the case in Ontario, municipality-to-municipality, and thus it is important for the Board of Directors to be aware of the local requirements and particularities associated with engaging in subsidizing partnerships. In subsidized (or rent-geared-to-income) rental housing programs, tenants pay a maximum of 30% of their gross monthly income toward rent as their contribution toward the operating cost (or market rent, depending upon whether the program operates on a for-profit or not-for-profit basis) of their unit, with the remaining difference between operating cost and tenant rent contribution being paid via subsidy transfers.

MAINTENANCE RESPONSIBILITIES

Non-profit companies, as previously mentioned, take on all the responsibilities and obligations of landlords when they partake in rental housing development programs, including the financial and physical responsibilities associated with the maintenance of the developments. It is the responsibility of the company's Board of Directors to familiarize itself with the legislation governing landlord-tenant relations in their province, and to clearly outline maintenance responsibilities of the society and of tenants in tenancy (lease) agreements. Societies may choose to employ property management companies to take on the duties associated with day-to-day maintenance of housing developments, but it remains the responsibility of the Board of Directors to ensure that any management companies hired by them perform their duties in keeping with governing legislation and standards. For example, under the Ontario *Tenant Protection Act* maintenance responsibilities for rental housing developments, including non-profit rental housing developments, are divided as follows:

Society / Board of Directors Responsibilities

Non-profit societies as landlords are responsible for ensuring that the building and units contained therein are maintained in a good state of repair in keeping with health and safety regulations found in provincial laws and municipal bylaws. This includes performing any repairs and replacing any items (i.e. appliances, window and floor coverings, etcetera) located in units or common areas that no longer perform their required functions due to normal wear-and-tear or other factors that can not be directly attributed to misuse by a tenant. Repairs / replacements must be performed promptly, and tenants must be given written notice for any foreseeable repair work that requires the landlord to enter their home.

Tenant Responsibilities

Tenants in non-profit rental units are entitled to expect the same quality of building maintenance as enjoyed by tenants in for-profit (market) rental housing, have the same rights to request necessary repair work be performed by their landlords, and have access to all recourse mechanisms outlined in the relevant tenancy act. In turn, tenants have certain responsibilities under tenancy legislation, including maintaining their units in an acceptable state of cleanliness (understood as being clean enough to ensure that pest infestations or mould growth is not promoted) and repairing any damage caused by themselves or their guests (not including normal wear-and-tear).

Homeowner Responsibilities

Homeowners are responsible for the physical and financial responsibilities associated with the maintenance and upkeep of their homes and grounds unless some other agreement has been reached with the housing authority. Homes must be kept in 'good repair' in accordance with relevant health and safety standards, and homeowners may be subject to annual inspections of their homes and property by the housing manager to ensure that standards are being met. Homeowners in need of financial assistance to perform necessary repair work to their homes may be eligible to receive grants directly through the company or through CMHC. Necessary repair work is defined as being any

work required to bring the dwelling unit to an acceptable standard of health and safety, and specific definitions regarding "necessary repairs" will be clearly outlined by the granting agency. The Board of Directors of the company will establish a point-scoring system in order to determine priority of funding, which will take into account (among other factors): overcrowding, living conditions, credit rating, structural deficiencies, health and safety hazards, and so on, and all approvals for funding are subject to requirements of provision of documentation (e.g. financial estimates, contract agreements, confirmation of ownership, etc.). Homeowners seeking to perform repair or modernization work on their homes that is not deemed "necessary" under the definitions provided may be eligible to receive loans directly from the housing authority or from external financial institutions via guarantee by the housing authority.

MAINTENANCE RECORDS
It is considered a good governance practice for non-profit companies to maintain comprehensive, detailed, and up-to-date building records for all developments owned and operated by the company, including records of: site and unit inspections, including any maintenance work identified as needing to be done as a result of these inspections, work that has been done, estimated or actual cost of work, and the names of individuals or companies responsible for the work; maintenance, renovation, and building contracts; guaranties and warranties for appliances, equipment, and labour; building specifications and architectural renditions; maintenance manuals and operating instructions; and detailed inventories of tools, supplies, appliances, and equipment. It is also recommended that maintenance records be maintained individually for each unit in a development.

NEW DEVELOPMENTS
Societies undertaking to construct new housing developments or convert existing properties into residential units must take an active role in ensuring that proper inspections of construction take place in order to ensure that (1) the best interests of the society are protected, and (2) liability for any construction deficiencies is properly attached. This involves the society forming an active partnership with design consultants, architects, and contractors so that all can work together to ensure that any construction or design deficiencies are identified and remedied promptly. It is the responsibility of the housing manager to oversee the work of the head contractor, and it is the responsibility of the head contractor to provide the society with accurate documentation of: building specifications and as-built drawings (important for making comparisons in order to identify discrepancies between plans and actual construction); a schedule for warranty inspections of all work; maintenance and operating instruction manuals for products, materials, and operating systems; copies of Building and Occupancy permits; and contact lists for all contractors and sub-contractors (e.g. electricians, plumbers, and so on) hired by the head contractor to perform work.

INSPECTIONS
Inspections of buildings and development grounds must be performed regularly to ensure that all municipal and provincial health and safety standards are being met, and also in order to identify potential problems that may arise in the future. Full inspections of all suites and sites should occur at least once annually, and should be performed by the

property manager in the company of the Board Chair and any professionals deemed appropriate (e.g. fire safety inspectors, representatives from the provincial health board, and so on). Reports resulting from annual inspections should be made available to development residents, community members, and Chief and Council.

PURCHASES AND SERVICE CONTRACTS
It is essential that the Board of Directors establish clear guidelines regarding purchasing and contracting to guide the housing authority in order to ensure that purchases and service contracts are undertaken with transparency and consistency, and that conflicts of interest are avoided. Requirements regarding tendering work and contracting vary province to province, and it is the responsibility of the Board to ensure that policies regarding contracting and tendering work are in keeping with relevant legislation. It is recommended that housing authorities adopt policies giving Band members who qualify as contractors or labourers priority when contracting work out.

MANAGEMENT PERFORMANCE

OPERATIONAL REVIEW
In order to ensure that operating standards as identified in the company's operating agreement(s) (where applicable) and Constitution and Bylaws are met, it is recommended that a thorough review of the operation and management of each development is performed once annually. Inspections / reviews should be performed by the Board Chair in the company of any subsidizing partner(s), and trained professionals (financial auditors, safety inspectors, and so on). The operation and management of the Board and society developments should be judged and evaluated based on the following categories:

(i) Maintenance Management;
(ii) Resident Management;
(iii) Information and Records Management;
(iv) Human Resources Management; and
(v) Financial Management.

In order to foster transparency, it is recommended that the findings of these evaluations and the Board's responses to the findings be made available to Chief in Council, community members, and development residents, in addition to subsidizing partners where required.

EVERYTHING YOU EVER WANTED TO KNOW ABOUT HOUSING AUTHORITIES AND TO ESTABLISH ONE IN FIRST NATIONS COMMUNITIES

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P.O. Box 219
Shannonville, Ontario
K0K 3AO

March 25, 2018

The views in this document are those of the author and do not necessarily represent those departments or agencies reviewed or the First Nations National Building Officers Association.

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NOTICE

This manual could not be established without the financial support of Indigenous and Northern Development Canada. The author would like to thank the input from the FNNBOA board members.

This document is disseminated by the First Nations National Building Officers Association in the interest of information exchange. This manual gives a general overview on what is involved in the establishment of a housing authority and is not intended to provide legal or technical advice. If you have specific questions or concerns it is strongly recommended that you seek legal advice. Finally, the First Nations National Building Officers Association assumes no liability for the use of the information contained in this document. If there are any questions regarding this manual, please send your message to info@fnnboa.ca

March 25, 2018

1 Introduction

A Housing Authority (HA) is defined as an arm's length housing management body that may or may not be incorporated, that manages, administers or operates housing on behalf of owners that can include the Chief and Council of a First Nation.

Arm's length is a term that describes a relationship between the First Nation Council/government and a HA that exists between two distinct entities, with or without separate legal definitions. The two entities communicate and share a vision for housing but act separately to some degree. A HA allows First Nations leaders to recognize the importance of keeping housing functions at arm's length from the decision-making function of Council.

A HA in its truest form is an organization that is incorporated under federal or provincial legislation as either a corporation or a not for profit entity.

Implementing an HA is an option for First Nations communities who wish to improve their housing management services and seek additional resources to bring their housing stock up to a housing standard[1].

Housing Authorities are for leaders who have a vision to improve housing conditions for their members and who are willing to move housing functions to an independent organization.

A HA can mean different things to different First Nations. In some communities, a housing department could be referred to as a HA. In other cases, a housing committee may be viewed as a HA. However, legally and practically, these departments and committees are not HA. They have no legal structure that gives them independence from Chief and Council or allow them to access financial capital.

1.1 Review of Some Housing Authorities

- Lac Seul First Nations in Ontario has operated its HA since 2002. Ke-nawind Housing Development Authority is an incorporated body guided by three board members appointed by Chief and Council.

  The Authority has a staff of five persons. The Lac Seul First Nation provides administrative support to the Kenawind Housing Development Authority. The Authority is responsible for approximately 100 rental units under CMHC's section 95 program and has been effective in rent collection and arrears management. The Kenawind Housing Development Authority appears to be structured based on band council housing

[1] For more information about housing standards see: https://cmhc.beyond2020.com/HiCODefinitions_EN.html#_Housing_Standards

resolutions and is a not for profit incorporation[2]. In November 2017, the federal government provided the community with over $1.45 million in investment for lot servicing and construction costs, while the First Nation contributed $250,000 of its own funds to create three new triplexes[3].

- Eabametoong Housing Authority is located 360 kilometres north of Thunder Bay (near Armstrong, Ontario). The Housing Authority oversees all habitable housing units on-reserve, consisting of 267 units of which 155 units are older (1975-95) and 112 units are newer (1997-2004). The newer units are mortgaged houses that are rented out to tenants. The older houses (non-rental units) are maintained and repaired for health and safety, and when condemned, are eventually replaced. The Housing Authority was originally structured under a Band resolution. A few years later, it was incorporated as a not for profit. Unfortunately, the organization ran into management difficulties and the corporation was dissolved. The community is now reconsidering the establishment of a corporation structure.

- The objectives of the Opaskwayak Cree Nation (OCN) Housing Authority Ltd. in OPaskwayak Manitoba, are to: provide proper standard housing for all the members of OCN and their families; maximize the use of the monies available for OCN members; provide orderly development of houses and disposition of multiple dwellings; and establish programs for upgrades and improve housing standards. The Housing Authority is structured as a corporation and provides control through the board. The board provides direction to their staff and contractors regarding the construction and repairs of homes. The Housing Authority is also responsible for tenant relations and collecting rent.

- The Nisichawayasihk Housing Authority (NHA) works to ensure adequate, quality housing for the residents of Nelson House, Manitoba (Nisichawayasihk Cree Nation). Homes are made available for ownership or as rental homes on land leased from the Nation. NHA works to ensure all homes are built to national building code and related standards. The NHA works with the community's public works, road, sewer and water services and government to provide effective quality infrastructure and housing. The NHA operates under a band resolution and has instituted policies to keep the Council at arm's length. For example, the Council must submit any information regarding repairs to a home or concerns about a housing issue in writing to the Board. The board will review the request and respond accordingly (e.g., do we have the money? Is that person/family in arrears to the Council?) The NHA is considering incorporating as a not for profit organization, as this will help them secure bank financing.

[2] A search under the government of Canada – Corporate searches; and the Ontario government for not for profit could not identify any documents to support the incorporation.
[3] See: Government of Canada partners with Lac Seul First Nation to improve housing in the community. November 10, 2017. https://www.newswire.ca/news-releases/government-of-canada-partners-with-lac-seul-first-nation-to-improve-housing-in-the-community-656653503.html

Based on the review of First Nations communities that have a HA or claimed to have a HA, a couple appear to be incorporated as a not for profit corporation. Many of the HA reviewed appear to be operating more like a housing department or a housing committee. In these situations, the Council continues to have input in the decision making of those individuals responsible for housing and there is no arm's length relationship.

2 Provincial Housing Corporations

Many provincial and territorial governments have established housing corporations. Housing corporations provide a range of programs and services to help people in their jurisdiction with housing needs. The corporations manage funds from the federal, provincial and municipal levels of government and financing from banking and investment institutions. Housing corporation programs include renting, home repairs and renovations; housing development and construction (e.g., procurement and tendering, building homes that are energy efficient); home ownership opportunities; investment in housing; educating tenants; and, following the rules and regulations under their provincial tenancy or landlord legislation.

For example, the Saskatchewan Housing Corporation provides funds and program initiatives to approximately 270 municipal HA (Figure 1). The responsibilities of the local authorities include the administration and routine maintenance of housing units assigned to their area. These HA operate as semi autonomous agencies and operate at an arms length relationship with the Saskatchewan Housing Corporation.

These HA operate at arms lengths by instituting policies that relate to decision making for tenants and servicing the units. For example, the Saskatchewan Housing Corporation is not directly involved in activities such as making decisions on procurement (which contractor(s) will receive a tender to build or repair homes), the selection of tenants, or the servicing of units. The arms lengths relationship is clearly defined through a series of operating agreements, shareholder agreements, corporate by-laws, waiting list agreements, funding agreements, or rental agreements. In many First Nations communities, these types of agreements do not exist.

Figure 1 Overview of Saskatchewan Housing Corporation

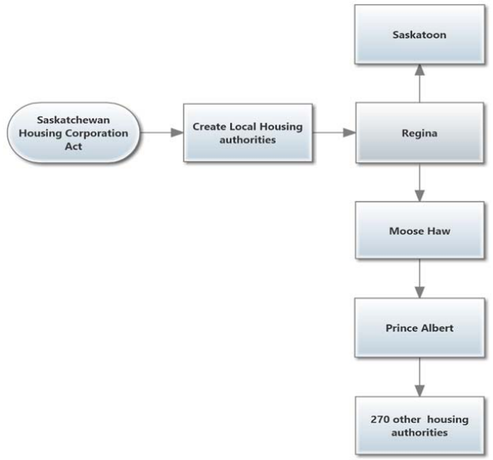
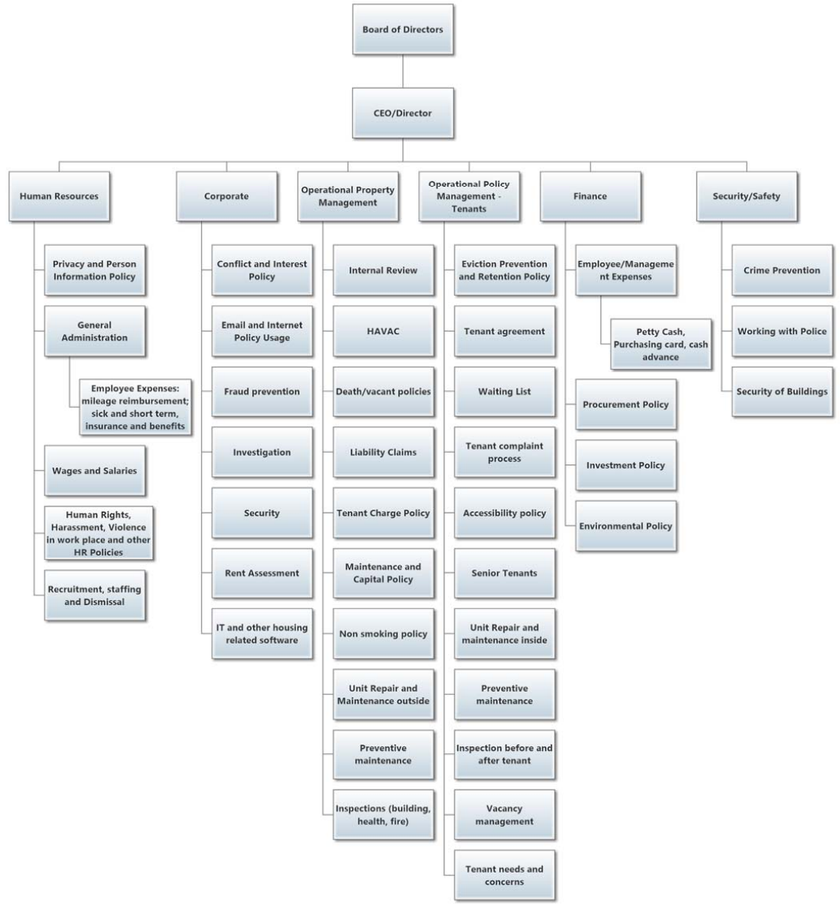


Figure 2 below gives an overview of how Housing Authorities are structured as an organization. The principles could be applied to First Nations communities, and HA could be structured with fewer personnel. For example, the department operational property management, and security and safety could be one department under a First Nation HA structure.

Figure 2 A Housing Authority Organizational Chart



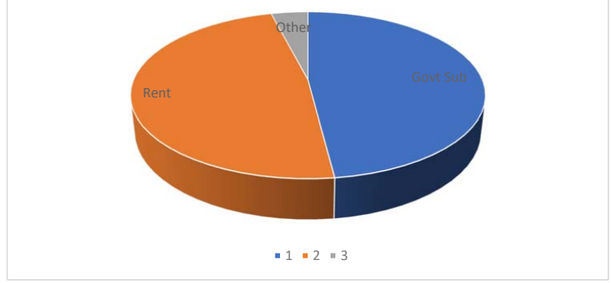
2.1 Revenues – Rent Collections and other Opportunities

Revenue generation is an important element for HA off reserve. Revenue sources include: rent from tenants, rent from government sources (e.g., shelter allowance, senior supplement) and other sources including investment and interest, management fees (charge to repair damage by tenant), laundry machines, advertising, communication contracts (e.g., internet providers), cost recoveries and technical services.

According to Oliveira (2013) a review of HA found that the revenue from rent ranges from 44% to 52% and revenue from government funds ranges from 45% to 51%. In one HA, the revenues collected from rent are 38% and from government 61%. The Ottawa Community Housing Corporation has revenues consisting of 44% from rent and 53% from government subsidies.[4]

Figure 3 gives an overview of how housing authorities raise revenues.

Figure 3 Average Revenue from Selected Housing Authorities



[4] Ottawa Community Housing (2015) Annual Report, 2014/2015. See http://app05.ottawa.ca/sirepub/cache/2/1ar32bieqbpefbjzhkw1sld1/294879120120170946224 84.PDF

3 Lessons Learn for First Nations Housing Authorities

Upon reviewing the First Nations HA and those operating in provinces and in municipalities, the following observations can be made:

1. Need a corporate structure with clear roles and responsibilities.
2. Need a corporate structure to gain financing from banks and other lending institutions.
3. Need agreements and clear policies and procedures to ensure arm's length relationship from Chief and Council (e.g., accountability).
4. Organization operates separately from Chief and Council.
5. Tenancy relationship including the charging and collection of rent is the key to financial success of the authority.
6. The HA needs to provide information to the Chief and Council and the community that includes: annual budgets, annual information return, audited financial statements, financial plans (multi-year financial plans) and strategic plans.
7. Revenues include both rent collected from tenants and from tenants that are receiving a government subsidy. Charging for repairs and selling advertising are another source of revenue.
8. Not all communities may be able to implement a HA as the number of homes to be placed under a HA may be few (e.g., housing stock capacity). In these cases, a HA may become part of a Tribal Council or work in partnership with another community.
9. The successful creation of a HA requires recognition, understanding and willingness by the leadership of the First Nation of the need to create a HA.
10. First Nations communities must ensure they have the capacity (e.g., the ability to acquire, use and sustain the various resources that it requires to carry out its mandate).

3.1 How Do You Get Arm's Lengths Relationships?

One of the challenges facing First Nations communities is to ensure that the Chief and Council cannot directly or indirectly influence the decisions made on housing. To ensure that there is an arm's length relationship (i.e., each owes no special obligation to the other party) the following documents are recommended.

Table 1 Types of Agreements to Ensure Arm's Lengths Relationships

Types of Agreements to Ensure Arm's Length Relationships

Types of Policies or Documents	Where to Find Examples
1. Corporate by-laws	In this document
2. Rental Agreements	See FNNBOA website or good examples are provided under provincial government departments responsible for landlord tenancy legislation
3. Waiting List Agreements	See FNNBOA website
4. Shareholder Agreements	In this document
5. Shareholder Direction	In this document
6. Operating Agreement (policies and procedures)	See FNNBOA website where you will find policies and procedures for a housing department.
7. Funding Agreement	In this document

4 Housing Authority Structures

The HA has a significant degree of independence from its Chief and Council with respect to housing.

A HA can mean different things to different people. Based on our review of the First Nation HA and those that operate off reserve, FNNBOA recommends a model that includes: *An incorporated organization with an independent board of directors. The incorporated organization is accountable to the Council via annual reporting on budget and performance of the organization and audited statements.*

It is critical that the political leadership have a vision that housing services form an essential component of overall community development and quality of life. There needs to be a willingness by the leadership to move the housing function to an arm's length body and to recognize the independence of the organization for day-to-day operations (e.g., no longer under the responsibility of Council). However, the independent organization is accountable to Council in terms of financing (independent audit), and performance of the organization.

The autonomy or independence of a HA from the Chief and Council may appear minimal on paper but is great in practice. Although the Authority may be closely tied to the political level of

the First Nation, it is either policy or practice for the elected leaders to involve themselves as little as possible in the day-to-day operations of the HA.

Figure 4 gives an overview on the arm's length relationship between the Council and the HA. Most importantly, the diagram shows how the Board from the HA reports back to the Council via audit statements, accountability and performance.

Figure 4 Overview of Relationship Between Council and a Housing Authority

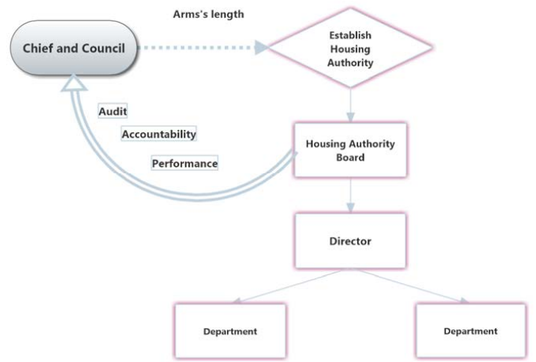
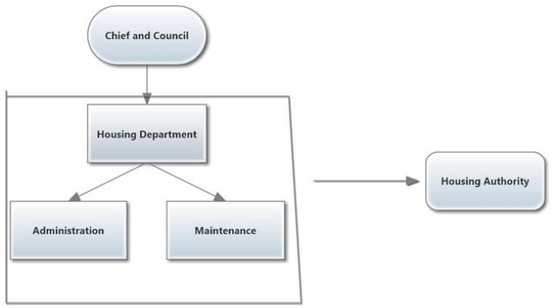


Figure 5 gives a simplistic overview on what happens to the housing department that reports under Council. Simple, the housing department is transferred to work under the HA. There will be a need to restructure some housing functions and reporting relationships, but generally the department including those assets (desk, computer) become part of the HA.

Figure 5 Overview on Transfer of Housing Department to Housing a Housing Authority



Instituting a HA is a great opportunity for First Nations to engage in self-governing and self-determining activities in a tangible way that could reduce First Nations reliance on external funding, financing, and governing bodies for the creation and administration of programs that deal with a basic and important aspect of life – the need of all people for affordable and adequate (safe, healthy) housing.

5 Corporate Structure – Not for Profit Organization

Based on our research, it is proposed that a First Nations HA should consider a corporate structure that is a not for profit organization. A not for profit organization is a group that is organized for social, religious, charitable, educational, athletic, literary, political or other such activities.

A First Nation community can be defined as a not for profit organization. Although there are different kinds of not for profit organizations, they all have one thing in common. The people involved in a not for profit organization cannot use it to make personal financial gain.

However, not for profit organizations can and do engage in activities that result in income or profit. However, the profits that these organizations make must be held in trust for the organization and can only be used in carrying out the goals and objectives of the organization.

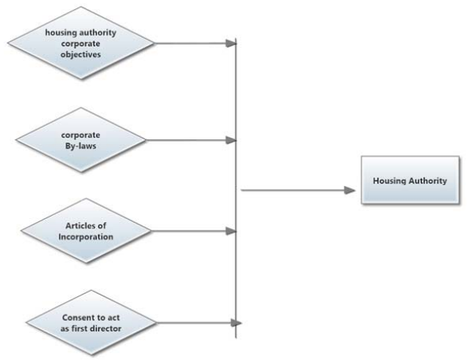
The goals and objectives for a HA are provided in this document (See Appendix A). Table 2 provides a comparison between a HA with a corporate not for profit structure and a housing department or a housing committee. The table shows that a HA corporation has the most independent or arm's length relationship between the Council and the HA.

Table 2 Comparison Between Housing Authority - Corporate Structure and a Housing Department

Items	Housing Authority Corporation	Housing Department
Structure	Arm's length relationship via structure and corporation bylaws. Independent Board that includes community members. Accountable to the Chief and Council and the community. A separate organization focusing on housing issues.	Always reporting to Chief and Council. No by laws on how housing department reports to Council.
Borrow Money	Can borrow money for housing. Negotiated directly with lending institutions	Cannot borrow money. Must be done via Chief and Council
Granting Function	Receives all federal grant and operating monies for housing	Chief and Council provides via a housing budget
Revenues	Goes directly to housing corporation for reinvestment	Goes directly to Chief and Council. It may or may not be reinvested into housing.
Audit and Evaluation	Provides annual independent Audit and evaluation	Only if Chief and Council asks for an audit or evaluation.
Community Involvement	The Community are the shareholders and have direct input	The community members only have input via Council elections
Housing Operations	Responsible for the day to day operations of housing (e.g., tenant contracts, rent, collection of rent). Chief and Council have no say on the collection of rent.	Similar activities, but the collection of rent may not occur because of Chief and Council's decision to not proceed.
Capacity	Built based on its revenues and expertise. Staff report to the Head of the organization and the Board. Less turn over in staff.	May have expertise, but revenues may not be allocated back to the department to be reinvested into housing. High turn over of housing managers.
Construction	Responsible for tendering and construction, renovations. Ensure homes are built to national building code and other standards.	May be responsible for tendering but may need to work with engineering department. Not clear who will ensure homes are built to national building code and other standards. Status quo is maintained.

Figure 6 shows some of the key decisions the Council must make to establish a HA. These include approval of the HA corporate objectives, corporate bylaws (separate from Council's bylaws), file the articles of incorporation and sign a form to consent as a first director (i.e., a form that helps to resolve any disputes arising should a director's claim that they had not consented to act for the corporation at the inception of the organization).

Figure 6 Some Key Decisions Council Makes to Establish a Housing Authority



There are many references available to further understand not for profit organizations. The following suggested readings:

Legal Guide: not for profit Organizations

http://www.legal-info-legale.nb.ca/en/publications/consumer_law_and_non_profit/non_profits/not_for_profit_organizations_legal_guide.pdf

Government of Canada: not for profit Corporations

http://www.strategis.gc.ca/eic/site/cd-dgc.nsf/eng/h_cs03925.html

FNNBOA has provided the required documentations for First Nations communities wanting to establish a HA as a not for profit corporation under the Not for Profit Corporation Act (Canada).

The following documents are provided in Appendix A.

1. Sample BCR for establishment of HA.
2. Sample By Law to establish the HA as a Not for profit organization.

3. Sample HA Objectives.
4. Sample consent to act as first director.
5. Sample Resolutions for officers.
6. Sample bylaws for banking.
7. Sample Articles of Incorporation (Form 4001: Articles of Incorporation Canada).

6 Financing a Housing Authority

The question that was raised by many individuals is how is a HA financed? Generally, to finance a HA, the Chief and Council will be required to transfer the monies for housing to the HA. These monies include those from the federal government (e.g., INAC and CMHC). Under this arrangement the Council can transfer the monies through a Band Council Resolution (BCR) or an agreement. Appendix A provides samples on BCR or the agreements that the Council may want to consider.

These documents are called

1. Sample BCR – Funding Agreement
2. Funding Agreement

7 Investment – Reserve and Reserve Funds

Housing authorities will also have a capital reserve fund where the organization is permitted to accumulate funds to cover the cost of replacing worn out capital items in the project. These monies are investment with financial institutions to give them a financial return on their funds. The reserves and reserve funds are key elements of the HA's long-term fiscal strategy.

There is also the replacement reserve fund that is required under CMHC where a community has an operating agreement with CMHC. In this case, the reserve is used to replace or repair what are known as capital items. The replacement reserve is funded from a sponsor's operating budget through an annual or monthly transfer to the reserve. The amount to be transferred, which is an eligible operating expense, is the amount set out in the operating agreement or another amount approved by CMHC[5]. It is important that when establishing a capital reserve or a replacement reserve to consult with CMHC and other experts to develop financial principle to specifically address the use of reserves and reserve funds[6]. Finally, the community may want to meet with

[5] https://www.cmhc-schl.gc.ca/en/inpr/afhoce/exsoho/upload/replacement_reserve_guide_for_social_housing_sponsors_en.pdf
[6] York Region has a Reserve and Reserve Fund Policy. Please see: https://www.york.ca/wps/wcm/connect/yorkpublic/ab4ac880-07c7-4876-9957-1a4023843068/Reserve+and+Reserve+Fund+Policy.pdf?MOD=AJPERES

the First Nations Finance Authority regarding any investments under a HA framework (www.fnfa.ca) .

8 Matrimonial Real Property Law and Housing Authorities

On December 16, 2014, *The Family Homes on Reserves and Matrimonial Interests or Rights Act* came into full force. First Nations communities can choose to enact their own matrimonial real property laws. The Act applies to married couples and common-law partners living on reserve, where at least one of them is a First Nation member or an Indian.

The Act applies to all First Nations with reserve land, with the following exceptions:

- First Nations that have enacted their own matrimonial real property laws under this Act.
- First Nations with reserve lands and a Self Government Agreement in effect who have jurisdiction over land management. (Self-governing First Nations may ask the Minister to make a declaration that the legislation will apply to them).
- Operational First Nations with land codes in place under the *First Nations Land Management Act* (FNLMA).
- Developmental First Nations without land codes that were on the schedule to the First Nations Land Management Act on the date of Royal Assent (June 19, 2013) will be exempted for a period of three years (until June 19, 2016).

In terms of housing in the community, the matrimonial homes can include the following:

- Band - owned rental – Housing rented from the Band. Some Bands use tenancy agreement or adopted housing policies that address what happens if the tenants separate.
- Social housing – Housing owned by the Band for which members repay the band and when the house is fully paid, the band may transfer position to the band member(s).
- Capital housing – Housing paid for by the Band member(s) occupying it and for which financial loan my have been obtained or a subsidy from the Band. While the Band members may own the house, they may be occupying the land under a tenancy agreement with the Band or occupy general Band land.

The development of any HA, should consider the impact the Matrimonial Real Property Law will have on the operation of the HA.

Several resources are available to help guide the Matrimonial Real Property Law on the development of HA. These include:

Centre of Excellence for Matrimonial Real Property www.coemrp.ca

National Aboriginal Lands Managers Association https://nalma.ca/

9 Implementation Road Map

Once a Council approves the implementation of a HA, the following gives a road map on your possible steps you may want to take:

1. Set up an implementation team. As part of the team there should be weekly meetings to make sure organizational, personnel and community issues are discussed. The implementation team should involve: chief executive officer and chief financial officer, housing councillor, housing manager (or designate), and any special advisors.
2. Have the BCR prepared for Council signature. The BCR states that the Council wants to implement a HA. You will find a copy in Appendix A.
3. Register as a federal incorporation or provincial incorporation. It is suggested to register as a federal incorporation as most of your interaction will be at the federal level. These documents are also provided in Appendix A.
4. As part of the registration as a federal government you will need to review the proposed HA not for profit corporation's objectives. These are provided in Appendix A. The key here is to make any changes or additions you believe are required.
5. Under the HA you will need to establish the board. The board could consist of 4 to 6 individuals. This board could include elders, a representative from the community or an educator. The board could have a member of Council, but only as an observer and not as a voting member. The not for profit corporate papers will determine the number of board members.
6. Hire an interim Execuive Director for the HA. This may include the existing housing manager or a consultant to help set up the HA.
7. Under the HA the existing housing department should be moved under this organization. It cannot be done until the organization legally exists. A letter from the CEO or Band manager to the housing department would indicate that the housing department will now be functioning under the HA and reporting to the Director or department head. These individuals are still part of the Council in terms of wages and benefits. There is no change in this area.
8. Establish clear roles and responsibilities. This may be needed where there are shared resources. For example, if the HA does not have its own finance person and the services of the Council will be used, there must be clear roles and responsibilities established. (e.g., who sends out the notices to individuals who are behind in their rental payments).
9. COMMUNICATIONS – as part of the implementation, there is a need to continue to inform the community. This communication can include: advertisements for people to participate on the board, a competition to design a logo for the new HA, updates as to the progress, and updates regarding changes to the policies (e.g., increase in rent, requirements to take a home maintenance or budgeting course).
10. COMMUNICATIONS – important to also keep your partners informed. These include ISC, CMHC, contractors doing work in the community and those individuals that provide

services (inspections). They need to be aware how the HA will impact their delivery of services. For example, the HA who will be responsible for the construction and renovation of homes will in the future tender out the work to ensure value for money.

It is important to note that these are sample documents and should only be used as an information resource: It is recommended that a First Nations community wanting to develop a Housing Authority should consult with a lawyer.

10 Proposed Job Descriptions – Executive Director and Director

The following are sample job descriptions for executive director and director for a HA.

10.1 Proposed Executive Director

Job Purpose

Reporting to the Board, this position provides leadership and management of the planning, organizing, staffing, direction and control functions of the HA. Interprets and implements policies approved by the Board and is responsible for the administration of Board policies. The position conforms to a Contract between the Board and the Executive Director.

Duties and Responsibilities

1. Interprets, implements and administers the policies of the Board and all applicable federal and state housing regulations.
   a. Supervises the preparation of all material to be reviewed by and to be acted upon by the Board. Acts as secretary to the Board, maintaining appropriate minutes, files and records.
   b. Determines appropriate course(s) of action related to adopted policies and procedures.
   c. Approves all correspondence, notices and directives dealing with policies issued by the Board for clarity and soundness.
   d. Conforms to the requirements of the Working Agreement/Contract in force between the Director and the Board.
   e. represents the HA and maintains liaison with regulatory agencies, local officials and community-based organizations, interpreting and explaining the HA's programs, policies, services, needs and other matters of mutual interest.

   f. Attends, on a consistent basis, meetings, workshops, conferences, seminars and other sessions, in order to gain first hand knowledge of new or improved housing programs in the public and private sectors.
   g. Keeps informed of changes and innovations in the housing field as to matters of policy and operation.
   h. prepares reports for internal and external use.
   i. acts as the HA's public relations officer clearing all external statements, reviews and policies before being released to media.
   j. acts as the HA's personnel officer assuring that all personnel policies, procedures, position descriptions and general personnel practices conform with all applicable statutes.
   k. acts as the HA's contracting officer.
   l. makes recommendations to the board on adoption of new policies and changes to existing policies.

2. provides for the administration, leadership and management of the HA.
   a. prepares and presents to the board for approval and subsequently administers and controls the conditions outlined in the annual contribution contracts, annual budgets and other supplemental budgets.
   b. selects, appoints, disciplines, promotes, transfers and terminates all HA employees according to board policy as amended from time to time.
   c. supervises managerial employees and an executive secretary, and indirectly monitors the performance of all HA employees.
   d. responsible for the final review and approval of all work programs.
   e. receives bids for board approval and executes contracts for work by others and monitors work in progress for compliance with contractual provisions.
   f. supervises management and control of HA's payables, receivables, cash or other assets (including investments) associated with operating contracts, insurance administration and all internal and external financial operations.
   g. authorizes expenditures/purchase orders in compliance with board policies.
   h. anticipates board's, staff's and clients' needs and responds by making executive level decisions where appropriate to improve operations and services.
   i. initiates the writing of proposals and grants.
   j. creates and may serve as a member where appropriate on essential committees.

3. directs and coordinates activities of managerial personnel engaged in carrying out HA objectives:

a. designs, implements and administers all HA functions and sub-functions so as to meet (or exceed) HA's goals.
b. reviews, maintains and implements all appropriate HA personnel policies and procedures.
c. establishes goals and objectives for department heads and approves those set for managers and supervisors.
d. supervises, monitors and evaluates performance of department head personnel.
e. compiles HA budget for board review and approval and reviews entire HA budget.
f. reviews/approves and implements regulations and notices from governmental and regulatory agencies and responds to such in (written) timely manner.
g. reviews/approves workload, schedules, personnel assignments, status of on-going work, projects and available personnel for work assignments in order to plan HA activities.
h. provides general oversight of the management and maintenance of all housing developments to ensure a high degree of livability at the lowest possible cost.
i. assigns/approves specific duties to personnel and special projects, considering individual knowledge and experience.
j. supervises the purchases of equipment, materials, and labor to satisfactorily meet the standards of good and proper maintenance.
k. reviews/approves reports, papers and other records prepared by personnel for clarity, completeness, accuracy and conformance with HA policies.
l. provides general oversight to the selecting of tenants, the execution of leases, the collection of rents, and the enforcement of leases as required by board policies and procedures.
m. coordinates work activities of administration with other departments, sections or agencies to prevent delays in actions required or to improve services to residents.
n. supervises and arranges for orientation and training of personnel.
o. approves leave requests, commendations and disciplinary actions.
p. maintains a high degree of personal flexibility and capability to address multi tasks and assignments of HA.
q. assures confidentiality of personnel information, processes and data which would be damaging if not properly safeguarded

4. performs other such duties as may be assigned by the board.

a. the position requires:

I. considerable knowledge of the principles, theory and methods of executive level management. ability to establish and maintain effective working relationships with staff members, community leaders and regulatory HA administrators.

II. ability to prepare and issue clear and concise instructions, either verbally or in written form.
III. ability to research and gather essential data relating to housing management/maintenance issues. working knowledge of first nations policies and procedures, corporate governance and governmental regulations.
IV. general ability to understand blueprints, engineering drawings and technical documents.
V. ability to determine appearance and conditions of all building owned or managed by the HA.

POSITION REQUIREMENTS AND QUALIFICATIONS

5. Minimum Qualifications

a. Eight (8) years experience in housing management, community development, public administration or a closely related field, or six (6) years plus a Bachelor's degree.
b. Five (5) years in significant management capacity at a public HA or other similar experience. Supervised a staff of ten (10) or more for at least one year.
c. Excellent written and oral communications skills, proven leadership ability, the skills necessary to provide management consultation, guidance and advice to officials on a broad range of public housing programs.
d. Ability to demonstrate sensitivity to the problems and concerns of community members, resident groups and the needs of special interest groups such as seniors.
e. Prior skills in budgeting, personnel management and public relations.
f. Has working knowledge of fiscal management, maintenance systems, personnel and administration management systems in public or private housing.
g. Substantial background in the implementation of management controls and systems.
h. Considerable knowledge of federal and provincial governmental procedures and regulations as they relate to housing development, construction and the management of local HA operations.

6. Unique expertise/certification/registrations required:

a. Ability to travel between various buildings owned and operated by or in other HA programs and to other meeting locations as required.
b. state here other certifications or registrations
c. Must be bondable.
d. ability to maintain and enforce confidentiality in all assignments.
e. ability to work harmoniously with other HA personnel.

f. ability to relate to and interact with residents in low and moderate-income housing settings.
g. Ability to be flexible and perform work under time pressure.
h. Ability to train and give directions to other staff

APTITUDE REQUIREMENTS:

7. Cognitive:

a. Analytical:
   I. Ability to apply principles of logical thinking, to define problems, collect data, establish facts and draw conclusions; to interpret a variety of technical instructions
   II. Ability to deal with several concrete/abstract variables or unknowns simultaneously
   III. Ability to solve practical problems and to interpret a variety of instructions furnished in written, oral, diagrammatic or schedule form.

8. Communication:
   a. Ability to compose original correspondence, follow rules and regulations and have increased contact with people
   b. Ability to interview, counsel or advise people
   c. Ability to understand safety rules, warnings and instructions in the use and maintenance of facility and equipment
   d. Ability to log in data and draft data summaries and correspondence
   e. Ability to complete reports with proper format, punctuation, spelling and grammar
   f. Ability to record and deliver information; to explain complex procedures to others; to follow and give verbal and written work orders
   g. Ability to answer inquiries from residents/staff/public
   h. Ability to converse with officials, service providers, disgruntled residents and the general public

9. Mathematical
   a. Ability to use practical application of system of real numbers, fractions, percentages and ratio
   b. Ability to compile, compute and present mathematical information
   c. Ability to calculate variables, formulas and proportion variables

10. Administrative detail:

a. Ability to complete forms; record and locate data accurately and reconcile data from different sources
b. Ability to innovate and create analysis
c. Ability to use excel, Microsoft and other related software programs

10.2 Proposed Job Description - Director of Housing

Job Purpose

reporting to the CEO, this position is responsible for overseeing and coordinating key housing services provided by the HA. this includes overseeing tenant selection, tenancy agreement administration and tenant relations for the entire HA housing portfolio while maintaining compliance with all applicable laws and regulations

Duties and Responsibilities

Housing Management

- implements and enforces HA's policies and procedures and ensures compliance with the residential tenancy act and regulations, HA tenancy agreements and house rules; formulates strategies and tactics to mitigate violations
- formulates policy with respect to operational procedures and ensures policies are followed
- oversees staff performing rent calculations and verification of income, rent intake and deposits move-in/move-out procedures
- develops tools and systems to educate tenants on and promote adherence to HA policies and procedures; and advances a sense of responsibility in tenants for their role in maintaining units and common areas
- provides guidance and advice on complex tenancy issues
- oversees interaction with tenants regarding complaints, violations, applications for housing, transfer requests, etc.
- guides staff in effectively resolving difficult tenant issues and disputes including preparation for and involvement in dispute mechanism hearings
- authorizes notices to end tenancy
- prepares management information and staff reports
- promotes positive tenant involvement in HA housing complexes
- ensures the appropriate handling of tenant files and protection of personal information.

Financial Management

- As member of senior management team, assists Finance Manager with the preparation and monitoring of departmental operating budgets

- Controls rent arrears and approves charge backs, and tenant transfer requests

Human Resources Management

- leads, supervises, and directs HA housing services staff including the tenant relations manager, supportive housing managers, housing coordinator and administrative staff
- establishes a positive, healthy and safe work environment in accordance with all appropriate legislation and regulations
- recruits, interviews and selects staff that have the right technical and personal abilities to help further the organization's mission
- ensures that all staff receives an orientation to the organization and that appropriate training is provided
- implements a performance management process for all staff which includes monitoring the performance of staff on an on-going basis and conducting an annual performance review
- coaches and mentors staff as appropriate to improve performance
- disciplines staff when necessary using appropriate techniques; releases staff when necessary using appropriate and legally defensible procedures
- performs other duties as required

Community Relations

- liaises with community associations, agencies and stakeholders
- represents the organization at community activities to enhance the organization's community profile
- intervenes with community agencies in supportive housing matters to ensure HA's interests are advanced
- participates on committees, task forces and special projects as required

Qualifications

- Related degree such as a Certified Property Management degree, with five years' related experience, including five years' supervising staff.
- Must possess a valid driver's Licence

Skills & Knowledge:

- Excellent communication skills (verbal and written), interpersonal and customer service skills
- Sound knowledge of the Residential Tenancy Act, CMHC and BC Housing programs and agreements
- Knowledge of supportive housing programs and services

- Considerable knowledge of the policies, procedures and regulations governing the activities of the Society
- Ability to establish and maintain effective relationships with contractors, tenants and the general public and to promote a positive team environment
- Experience in budget preparation and monitoring
- Strong supervisory and leadership skills; Demonstrated ability to build productive teams of staff performing varied functions
- Excellent conflict resolution skills
- Demonstrated ability to work under pressure, multi-task conflicting demands, meet deadlines and work independently
- Demonstrated ability to deal with sensitive situations with tact and diplomacy
- Demonstrated ability to prepare complex budget and statistical reports
- Knowledge of and experience in using word processing, spreadsheets and property management software.

11 Appendix A

11.1 Sample BCR Establishing a Housing Authority

SAMPLE BCR ESTABLISHING A HOUSING AUTHORITY

WHEREAS the First Nation maintains that, since time immemorial, has been and is a sovereign nation and affirms its inherent right to self-government by designating the Chief and Council to act on its behalf;

AND WHEREAS, the First Nation has a need for quality, cost effective, safe, accessible and sanitary housing for families, individuals, Elders and disabled members;

AND WHEREAS the First Nation desires to regulate residency and housing on reserve and in particular the allocation, use and occupancy of band-owned and other houses on reserve;

AND WHEREAS, in order to provide quality, cost effective, safe, accessible and sanitary housing on the First Nation there is a need for the establishment of a Housing Authority to develop and manage housing for First Nation members;

AND WHEREAS in order to provide accountability to the members of the First Nation the said Housing Authority shall be established ay arms length from the Chief and Council of the First Nation.

NOW, THEREFORE, BE IT RESOLVED by the First Nation:

1. That there is and shall be established a housing authority on the First Nation known as the Housing Authority, effective the th day of , 20 .
2. That there are and shall be First Nation members who do and shall serve as the Board of Directors of the Housing Authority, effective as of the th day of , 20 .

3. That with the approval of Chief and Council the Housing Authority shall have the authority and jurisdiction to establish it's own Rules of Procedure and Process including the number of Board members who shall preside over the activities of the Housing Authority.

4. That the Housing Authority shall, at minimum, have the following objectives:

i. To establish, construct and maintain affordable, quality housing and other buildings and facilities for members of the First Nation

ii. To establish, construct and maintain affordable, quality housing and other buildings and facilities for Elders and disabled members of the First Nation

iii. To establish, construct and maintain affordable, quality rental housing and rent-to-own housing and facilities for members, Elders and disabled members of the First Nation

iv. To establish and promote social service housing, income support, and assisted care for members, Elders and disabled members of the First Nation as required and as needed

v. To identify community need and to determining the social portfolio of the community by assessing living and housing conditions and investigating the means and methods of improving these conditions

vi. To develop, implement, and monitor long-term planning for community housing

vii. To oversee and enable the operation and maintenance of First Nation housing projects and programs, including fulfilling all administrative duties traditionally associated with the development and management of social housing programs

viii. To publish and disseminate information in various media formats including but not limited to written, electronic, television, radio, internet and other media with regard to housing, construction practices, inspection practices, standards, repairs, renovations and other educational material regarding housing

ix. To establish, develop, construct and maintain offices, Cultural and Recreation Centres, and other buildings and facilities for administrative purposes and activities for the advancement, promotion, preservation and protection of the within objectives

x. To ensure that all housing and other buildings are built and constructed to National Building Code standards.

xi. To development maintain, publish and disseminate documents, forms and other materials related to housing including leases, tenancy agreements, housing policy, housing by-laws, releases, notices and other related and relevant documentation and materials regarding housing.

xii. To develop, undertake and promote educational seminars, courses, and training regarding housing ownership, tenancy agreements, leases and related matters

xiii. To develop, undertake and promote educational seminars, courses, and training regarding housing construction, renovation and inspections and related matters

xiv. To develop and maintain a comprehensive database on all community housing units that includes but is not limited to information such as to what programs were accessed for building and repairs, loans outstanding, services (water, sewer, roads) available, inspection reports, condition of unit, year it was built, other requisite unit particulars and other matters in relation thereto

xv. To develop, promote, establish and maintain policies and procedures regarding the ownership of homes and the rent-to-own of homes on the Community/First Nation Territory.

xvi. To work with and liaise with the applicable and relevant Federal, Provincial, Municipal, Indigenous and Tribal Council governmental authorities including but not limited to housing ministries, Band Councils and corporations including the Canada Mortgage and Housing Corporation

xvii. To educate members and the membership and general public with regard to housing issues as they pertain to the First Nation

xviii. To participate in economic, social, scientific, cultural, political, traditional development and other programs and to secure funding through all lawful means including but not limited to the common law, the *Canada not for profit Corporations Act S.C. 2009 c.23* and any successor legislation thereto to advance the within objectives of the First Nation as set out herein

xix. To advance, promote, preserve and protect the cultural, spiritual, economic, political and social traditions of the First Nation with particular regard to housing and related matters.

xx. To advance, promote, preserve and protect Mother Earth and the land, water, flora and fauna of the First Nation traditional lands and traditional management and sustainability practices with regard thereto.

xxi. To advance, promote, preserve and protect the Aboriginal rights, Treaty rights, and human rights of the First Nation.

xxii. To hire and retain Elders, experts and other professional advisors to assist in the advancement of these within objectives.

xxiii. To reporting to the Chief and Council, and the community at large on all aspects of the corporation's operations in order to ensure political, financial, and public accountability and operational transparency.

xxiv. And such other complimentary purposes not inconsistent with these objects

ADOPTED at First Nation, Reserve No. this day of , 20 .

_____

Chief

_____

Councilor

_____

Councilor

_____

Councilor

11.2 By law No. 1 – Establishing A Housing Authority Corporation

BY LAW NO. 1

A by-law relating generally to the conduct of the business and affairs of

[INSERT NAME OF CORPORATION]

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BE IT ENACTED as a by-law of the **CORPORATION** as follows:

SECTION 1 - GENERAL

1.01 Definitions

In this by-law and all other by-laws of the Corporation, unless the context otherwise requires:

1. "Act" means the *Canada Not for profit Corporations Act* S.C. 2009, c.23 including the Regulations made pursuant to the Act, and any statute or regulations that may be substituted, as amended from time to time;

2. "articles" means the original articles of incorporation or articles of amendment, amalgamation, continuance, reorganization, arrangement or revival of the Corporation;

3. "board" means the board of directors of the Corporation and "director" means a member of the board;

4. "by-law" means this by-law and any other by-laws of the Corporation as amended and which are, from time to time, in force and effect;

5. "meeting of members" includes an annual meeting of members or a special meeting of members; "special meeting of members" includes a meeting of any class or classes of members and a special meeting of all members entitled to vote at an annual meeting of members;

6. "ordinary resolution" means a resolution passed by a majority (for example more than 50%) of the votes cast on that resolution;

7. "proposal" means a proposal submitted by a member of the Corporation that meets the requirements of section 163 (Shareholder Proposals) of the Act;

8. "Regulations" means the regulations made under the Act, as amended, restated or in effect from time to time; and

9. "special resolution" means a resolution passed by a majority of not less than two-thirds (2/3) of the votes cast on that resolution.

1.02 Interpretation

In the interpretation of this by-law, words in the singular include the plural and vice-versa, words in one gender include all genders, and "person" includes an individual, body corporate, partnership, trust and unincorporated organization.

Other than as specified in 1.01 above, words and expressions defined in the Act have the same meanings when used in these by-laws.

1.03 Corporate Seal

The Corporation may have a corporate seal in the form approved from time to time by the board. If a corporate seal is approved by the board, the secretary of the Corporation shall be the custodian of the corporate seal.

1.04 Execution of Documents

Deeds, transfers, assignments, contracts, obligations and other instruments in writing requiring execution by the Corporation may be signed by any two (2) of its officers or directors. In addition, the board may from time to time direct the manner in which and the person or persons by whom a particular document or type of document shall be executed. Any person authorized to sign any document may affix the corporate seal (if any) to the document. Any signing officer may certify a copy of any instrument, resolution, by-law or other document of the Corporation to be a true copy thereof.

1.05 Financial Year End

The financial year end of the Corporation shall be determined by the board of directors.

1.06 Banking Arrangements

The banking business of the Corporation shall be transacted at such bank, trust company or other firm or corporation carrying on a banking business in Canada or elsewhere as the board of directors may designate, appoint or authorize from time to time by resolution. The banking business or any part of it shall be transacted by an officer or officers of the Corporation and/or other persons as the board of directors may by resolution from time to time designate, direct or authorize.

1.07 Annual Financial Statements

The Corporation may, instead of sending copies of the annual financial statements and other documents referred to in subsection 172(1) (Annual Financial Statements) of the Act to the

members, publish a notice to its members stating that the annual financial statements and documents provided in subsection 172(1) are available at the registered office of the Corporation and any member may, on request, obtain a copy free of charge at the registered office or by prepaid mail.

SECTION 2 - MEMBERSHIP - MATTERS REQUIRING SPECIAL RESOLUTION

2.01 Membership Conditions

Subject to the articles, there shall be one class of members in the Corporation. Membership in the Corporation shall be available only to individuals interested in furthering the Corporation's purposes and who have applied for and been accepted into membership in the Corporation by resolution of the board or in such other manner as may be determined by the board. Each member shall be entitled to receive notice of, attend and vote at all meetings of the members of the Corporation.

Pursuant to subsection 197(1) (Fundamental Change) of the Act, a special resolution of the members is required to make any amendments to this section of the by-laws if those amendments affect membership rights and/or conditions described in paragraphs 197(1)(e), (h), (l) or (m).

2.02 Notice of Meeting of Members

Notice of the time and place of a meeting of members shall be given to each member entitled to vote at the meeting by the following means:

1. by mail, courier or personal delivery to each member entitled to vote at the meeting, during a period of 21 to 60 days before the day on which the meeting is to be held; or

2. by telephonic, electronic or other communication facility to each member entitled to vote at the meeting, during a period of 21 to 35 days before the day on which the meeting is to be held.

3. at least once in each of the 3 weeks immediately before the date of the meeting in one or more newspapers where the majority of the members of the corporation resides or

4. at least once in a publication of the Corporation that is sent to all members, during the period of 21 to 60 days before the meeting.

Pursuant to subsection 197(1) (Fundamental Change) of the Act, a special resolution of the members is required to make any amendment to the by-laws of the Corporation to change the manner of giving notice to members entitled to vote at a meeting of members.

2.03 Absentee Voting

Pursuant to section 171(1) (Absentee Voting) of the Act, a member entitled to vote at a meeting of members may vote by the following:

1. by proxy,

2. by mailed-in ballot, and

3. by means of telephonic, electronic or other communication facility in accordance with the Regulations.

If absentee voting is to occur by way of mailed-in ballot or by means of telephonic, electronic or other communication facility, the Corporation shall have a system that:

1. enables the votes to be gathered in a manner that permits their subsequent verification, and

2. permits the tallied votes to be presented to the Corporation without it being possible for the Corporation to identify how each member voted.

If voting is to occur by proxy, the member may appoint a proxy holder or one or more alternate proxy holders who shall also be a member. The member=s nominee may attend and act at the meeting in the manner, to the extent and with the authority conferred by the proxy. A proxy shall be in writing, shall be executed by the member or by his or her attorney in writing and shall, in all other respects, be in a form that complies with the Act, the Articles and this by-law. The Corporation shall only recognize a proxy if it has been deposited with the Corporation and it shall be so deposited before any vote is taken under its authority, or at such earlier time as the board, in compliance withe the Act, prescribes and which has been specified in the notice calling the meeting.

Pursuant to subsection 197(1) (Fundamental Change) of the Act, a special resolution of the members is required to make any amendment to the by-laws of the Corporation to change this method of voting by members not in attendance at a meeting of members.

SECTION 3 - MEMBERSHIP DUES, TERMINATION AND DISCIPLINE

3.01 Membership Dues

Members shall be notified in writing of the membership dues at any time payable by them and, if any are not paid within one (1) calendar month of the membership renewal date, the members in default shall automatically cease to be members of the Corporation.

3.02 Termination of Membership

A membership in the Corporation is terminated when:

1. the member dies, or, in the case of a member that is a corporation, the corporation is dissolved;

2. a member fails to maintain any qualifications for membership described in Section 2.01 of these by-laws;

3. the member resigns by delivering a written resignation to the chair of the board of the Corporation in which case such resignation shall be effective on the date specified in the resignation;

4. the member is expelled in accordance with Section 3.03 below or is otherwise terminated in accordance with the articles or by-laws;

5. the member's term of membership expires; or

6. the Corporation is liquidated or dissolved under the Act.

Subject to the articles, upon any termination of membership, the rights of the member, including any rights in the property of the Corporation, automatically cease to exist.

3.03 Discipline of Members

The board shall have authority to suspend or expel any member from the Corporation for any one or more of the following grounds:

1. violating any provision of the articles, by-laws, or written policies of the Corporation;

2. carrying out any conduct which may be detrimental to the Corporation as determined by the board in its sole discretion;

3. for any other reason that the board in its sole and absolute discretion considers to be reasonable, having regard to the purpose of the Corporation.

In the event that the board determines that a member should be expelled or suspended from membership in the Corporation, the president, or such other officer as may be designated by the board, shall provide twenty (20) days notice of suspension or expulsion to the member and shall provide reasons for the proposed suspension or expulsion. The member may make written submissions to the president, or such other officer as may be designated by the board, in response to the notice received within such twenty (20) day period. In the event that no written submissions

are received by the president, the president, or such other officer as may be designated by the board, may proceed to notify the member that the member is suspended or expelled from membership in the Corporation. If written submissions are received in accordance with this section, the board will consider such submissions in arriving at a final decision and shall notify the member concerning such final decision within a further twenty (20) days from the date of receipt of the submissions. The board's decision shall be final and binding on the member, without any further right of appeal.

SECTION 4 - MEETINGS OF MEMBERS

4.01 Persons Entitled to be Present

The only persons entitled to be present at a meeting of members shall be those entitled to vote at the meeting, the directors and the public accountant of the Corporation and such other persons who are entitled or required under any provision of the Act, articles or by-laws of the Corporation to be present at the meeting. Any other person may be admitted only on the invitation of the chair of the meeting or by resolution of the members.

4.02 Chair of the Meeting

In the event that the chair of the board and the vice-chair of the board are absent, the members who are present and entitled to vote at the meeting shall choose one of their number to chair the meeting.

4.03 Quorum

A quorum at any meeting of the members (unless a greater number of members are required to be present by the Act) shall be 10% of the members entitled to vote at the meeting. If a quorum is present at the opening of a meeting of members, the members present may proceed with the business of the meeting even if a quorum is not present throughout the meeting.

4.04 Votes to Govern

At any meeting of members every question shall, unless otherwise provided by the articles or by-laws or by the Act, be determined by a majority of the votes cast on the question. In case of an equality of votes either on a show of hands or on a ballot or on the results of electronic voting, the chair of the meeting in addition to an original vote shall have a second or casting vote.

SECTION 5 - DIRECTORS

5.01 Qualifications, Election and Term

Each director shall be an individual who is not less than 18 years of age. No person who is of unsound mind and has been so found by a court in Canada or elsewhere or who has the status of a bankrupt shall be a director. If a director acquires the status of a bankrupt or becomes of unsound mind and is so found, he or she shall thereupon cease to be a director.

Subject to the articles, the members will elect the directors at the first meeting of members and at each succeeding annual meeting at which an election of directors is required, and the directors shall be elected to hold office for a term expiring not later than the close of the third annual meeting of members following the election.

The board of directors may appoint additional directors for a term expiring not later than the close of the next annual meeting of members but the total number of directors appointed may not exceed 1/3 of the number of directors elected at the previous annual meeting. The precise number of directors to be appointed in this manner may be fixed by ordinary resolution of the members.

Subject to the provisions of the Act, the Articles and this by-law, the members may by ordinary resolution passed as an annual or special meeting of the members, remove any director from office before the expiration of his or her terms and may elect a qualified individual to full the resulting vacancy for the remainder of the terms of the director so removed failing which the vacancy may be filled by resolution fo the board.

5.02 Standard of Care

Every director and officer of the Corporation in exercising their powers and discharging their duties shall act honestly and in good faith with a view to the best interests of the Corporation and shall exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances. Every director an officer of the Corporation shall comply with the Act, the regulations, articles, and by-laws.

5.03 Indemnification of directors and officers

The Corporation shall indemnify a director or officer of the Corporation, a former director or officer of the Corporation or a person who acts or acted at the Corporation's request as a director or officer of a body corporate of which the Corporation is or was a shareholder or creditor, and his/her heirs and legal representatives to the extent permitted by section 151 of the Act.

5.04 Indemnity of others

Except as otherwise required by the Act and subject to section 151 of the Act, the Corporation may from time to time indemnify and save harmless any person who was or is a party or is threatened to be made a party to any threatened, pending or completed activity, suit or proceeding, whether civil, criminal, administrative or investigative (other than an activity by or in the right of the Corporation) by reason of the fact that he or she is an employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, employee, agent of or participant in another body corporate, partnership, joint venture, trust or other enterprise, against expenses (including legal fees), judgments, fines and any amount actually and reasonably incurred by him/her in connection with such activity, suit or proceeding if he/she acted honestly and in good faith with a view to the best interests of the Corporation and, with respect to any is enforced by a monetary penalty, had reasonable grounds for believing that his/her conduct was lawful. The termination of any activity, suit or proceeding by judgment, order, settlement or conviction shall not, of itself, create a

presumption that the person did not act honestly and in good faith with a view to the best interests of the Corporation and, with respect to any criminal or administrative activity or proceeding that is enforced by a monetary penalty, had no reasonable grounds for believing that his/her conduct was lawful.

5.05 Right of indemnity not exclusive

The provisions for indemnification contained in the by-laws of the Corporation shall not be deemed exclusive of any other rights to which any person seeking indemnification may be entitled under any agreement, legislation, vote of the members or directors or otherwise, both as to activity in his/her official capacity and as to activity in another capacity, and shall continue as to a person who has ceased to be a director, officer, employee or agent and shall inure to the benefit of the heirs and legal representatives of such a person.

5.06 No liability of directors or officers for certain matters

To the extent permitted by the by-laws and the Act, no director or officer for the time being of the Corporation shall be liable for the acts, receipts, neglects or defaults of any other director or officer or employee or for joining in any receipt or act for conformity or for any loss, damage or expense happening to the Corporation through the insufficiency or deficiency of title to any property acquired by the Corporation or for or on behalf of the Corporation or for the insufficiency or deficiency of any security in or upon which any of the moneys of or belonging to the Corporation shall be placed out or invested or for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person, firm or body corporate with whom or which any moneys, securities or other assets belonging to the Corporation shall be lodged or deposited or for any loss, conversion, misapplication or misappropriation of or any damage resulting from any dealings with any moneys, securities or other assets belonging to the Corporation or for any other loss, damage or misfortune whatever that may happen in the execution of the duties of his/ her respective office or trust or in relation thereto unless the same shall happen by or through his/ her failure to act honestly and in good faith with a view to the best interests of the Corporation and in connection therewith to exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances. If any director or officer of the Corporation shall be employed by or shall perform services for the Corporation otherwise than as a director or officer or shall be a member of a firm or a shareholder, director or officer of a body corporate that is employed by or performs services for the Corporation, the fact of his/her being a director or officer of the Corporation shall not disentitle such director or officer or such firm or body corporate, as the case may be, from receiving proper remuneration for such services.

SECTION 6 - MEETINGS OF DIRECTORS

6.01 Calling of Meetings

Meetings of the board may be called by the chair of the board, the vice-chair of the board or any two (2) directors at any time; provided that, for the first organization meeting following incorporation, such meeting may be called by any director or incorporator. If the Corporation has only one director, that director may call and constitute a meeting.

6.02 Notice of Meeting

Notice of the time and place for the holding of a meeting of the board shall be given to every director of the Corporation not less than 7 days before the time when the meeting is to be held by one of the following methods:

1. delivered personally to the latest address as shown in the last notice that was sent by the Corporation in accordance with section 128 (Notice of directors) or 134 (Notice of change of directors);

2. mailed by prepaid ordinary mail to the director's address as set out in (a);

3. by telephonic, electronic or other communication facility at the director's recorded address for that purpose; or

4. by an electronic document in accordance with Part 17 of the Act.

Notice of a meeting shall not be necessary if all of the directors are present, and none objects to the holding of the meeting, or if those absent have waived notice of or have otherwise signified their consent to the holding of such meeting. Notice of an adjourned meeting is not required if the time and place of the adjourned meeting is announced at the original meeting. Unless the by-law otherwise provides, no notice of meeting need specify the purpose or the business to be transacted at the meeting except that a notice of meeting of directors shall specify any matter referred to in subsection 138(2) (Limits on Authority) of the Act that is to be dealt with at the meeting.

6.03 Regular Meetings

The board may appoint a day or days in any month or months for regular meetings of the board at a place and hour to be named. A copy of any resolution of the board fixing the place and time of such regular meetings of the board shall be sent to each director forthwith after being passed, but no other notice shall be required for any such regular meeting except if subsection 136(3)(Notice of Meeting) of the Act requires the purpose thereof or the business to be transacted to be specified in the notice.

6.04 Votes to Govern

Unless otherwise required by the Act or the articles of the Corporation, questions arising at any meeting of the members shall be decided by a consensus of the members present at the meeting. A consensus will be considered to have been reached when no member objects to the question on the floor before the meeting.

Should the chair of the meeting determine, after a reasonable effort to achieve consensus has been made, that a consensus will not be reached regarding a particular question then the chair shall refer the question to be decided by a majority vote of the members. In case of an equality of votes, the chair of the meeting in addition to an original vote shall have a second or casting vote.

6.05 Disclosure - Conflict of Interest

A director or officer who is a party to, or who is a director or an officer of, or has a material interest in any person who is a party to, a material contractor transaction or proposed transaction or any matter regarding the business of the Corporation shall, disclose on writing to the Corporation or request to be entered in the Minutes of meetings of directors the nature and extent of his or her interest. Disclosure, as aforesaid shall be made at the time and in the manner required by the Act, te Articles or this by-law and a director so having an interest shall not vote on any resolution that is the subject of the interest.

6.06 Committees

The board may from time to time appoint any committee or other advisory body, as it deems necessary or appropriate for such purposes and, subject to the Act, with such powers as the board shall see fit. Any such committee may formulate its own rules of procedure, subject to such regulations or directions as the board may from time to time make. Any committee member may be removed by resolution of the board of directors.

SECTION 7 - OFFICERS

7.01 Description of Offices

Unless otherwise specified by the board which may, subject to the Act modify, restrict or supplement such duties and powers, the offices of the Corporation, if designated and if officers are appointed, shall have the following duties and powers associated with their positions:

1. **Chair of the Board** - The chair of the board, if one is to be appointed, shall be a director. The chair of the board, if any, shall, when present, preside at all meetings of the board of directors and of the members. The chair shall have such other duties and powers as the board may specify.

2. **Vice-Chair of the Board** - The vice-chair of the board, if one is to be appointed, shall be a director. If the chair of the board is absent or is unable or refuses to act, the vice-chair of the board, if any, shall, when present, preside at all meetings of the board of directors and of the members. The vice-chair shall have such other duties and powers as the board may specify.

3. **President** - If appointed, the president shall be the chief executive officer of the Corporation and shall be responsible for implementing the strategic plans and policies of the Corporation. The president shall, subject to the authority of the board, have general supervision of the affairs of the Corporation.

4. **Secretary** - If appointed, the secretary shall attend and be the secretary of all meetings of the board, members and committees of the board. The secretary shall enter or cause to be entered in the Corporation's minute book, minutes of all proceedings at such meetings; the secretary shall give, or cause to be given, as and when instructed, notices to members, directors, the public accountant and members of committees; the secretary shall be the custodian of all books, papers, records, documents and other instruments belonging to the Corporation.

5. **Treasurer** - If appointed, the treasurer shall have such powers and duties as the board may specify.

The powers and duties of all other officers of the Corporation shall be such as the terms of their engagement call for or the board or president requires of them. The board may, from time to time and subject to the Act, vary, add to or limit the powers and duties of any officer.

7.02 Vacancy in Office

In the absence of a written agreement to the contrary, the board may remove, whether for cause or without cause, any officer of the Corporation. Unless so removed, an officer shall hold office until the earlier of:

1. the officer's successor being appointed,

2. the officer's resignation,

3. such officer ceasing to be a director (if a necessary qualification of appointment) or

4. such officer's death.

If the office of any officer of the Corporation shall be or become vacant, the directors may, by resolution, appoint a person to fill such vacancy.

SECTION 8 - NOTICES

8.01 Method of Giving Notices

Any notice (which term includes any communication or document) to be given (which term includes sent, delivered or served), other than notice of a meeting of members or a meeting of the board of directors, pursuant to the Act, the articles, the by-laws or otherwise to a member, director, officer or member of a committee of the board or to the public accountant shall be sufficiently given:

1. if delivered personally to the person to whom it is to be given or if delivered to such person's address as shown in the records of the Corporation or in the case of notice to a director to the latest address as shown in the last notice that was sent by the Corporation in accordance with section 128 (Notice of directors) or 134 (Notice of change of directors); or

2. if mailed to such person at such person's recorded address by prepaid ordinary or air mail; or

3. if sent to such person by telephonic, electronic or other communication facility at such person's recorded address for that purpose; or

4. if provided in the form of an electronic document in accordance with Part 17 of the Act.

A notice so delivered shall be deemed to have been given when it is delivered personally or to the recorded address as aforesaid; a notice so mailed shall be deemed to have been given when deposited in a post office or public letter box; and a notice so sent by any means of transmitted or recorded communication shall be deemed to have been given when dispatched or delivered to the appropriate communication company or agency or its representative for dispatch. The secretary may change or cause to be changed the recorded address of any member, director, officer, public accountant or member of a committee of the board in accordance with any information believed by the secretary to be reliable. The declaration by the secretary that notice has been given pursuant to this by-law shall be sufficient and conclusive evidence of the giving of such notice.

The signature of any director or officer of the Corporation to any notice or other document to be given by the Corporation may be written, stamped, type-written or printed or partly written, stamped, type-written or printed.

8.02 Invalidity of any provisions of this by-law

The invalidity or unenforceability of any provision of this by-law shall not affect the validity or enforceability of the remaining provisions of this by-law

8.03 Omissions and Errors

The accidental omission to give any notice to any member, director, officer, member of a committee of the board or public accountant, or the non-receipt of any notice by any such person where the Corporation has provided notice in accordance with the by-laws or any error in any notice not affecting its substance shall not invalidate any action taken at any meeting to which the notice pertained or otherwise founded on such notice.

SECTION 9 - DISPUTE RESOLUTION

9.01 Mediation and Arbitration

Disputes or controversies among members, directors, officers, committee members, or volunteers of the Corporation are as much as possible to be resolved in accordance with mediation and/or arbitration as provided in Section 9.02 of this by-law.

9.02 Dispute Resolution Mechanism

In the event that a dispute or controversy among members, directors, officers, committee members or volunteers of the Corporation arising out of or related to the articles or by-laws, or out of any aspect of the operations of the Corporation is not resolved in private meetings between the parties, then without prejudice to or in any other way derogating from the rights of the members, directors, officers, committee members, employees or volunteers of the Corporation as set out in the articles, by-laws or the Act, and as an alternative to such person instituting a law suit or legal action, such dispute or controversy shall be settled by a process of dispute resolution as follows:

1. The dispute or controversy shall first be submitted to a panel of mediators whereby the one party appoints one mediator, the other party (or if applicable the board of the Corporation) appoints one mediator, and the two mediators so appointed jointly appoint a third mediator. The three mediators will then meet with the parties in question in an attempt to mediate a resolution between the parties.

2. The number of mediators may be reduced from three to one or two upon agreement of the parties.

3. If the parties are not successful in resolving the dispute through mediation, then the parties agree that

the dispute shall be settled by arbitration before a single arbitrator, who shall not be any one of the mediators referred to above, in accordance with the legislation governing domestic arbitrations in force in the province of [Ontario] or as otherwise agreed upon by the parties to the dispute. The parties agree that all proceedings relating to arbitration shall be kept confidential and there shall be no disclosure of any kind. The decision of the arbitrator shall be final and binding and shall not be subject to appeal on a question of fact, law or mixed fact and law.

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4. All costs of the mediators appointed in accordance with this section shall be borne equally by the parties to the dispute or the controversy. All costs of the arbitrators appointed in accordance with this section shall be borne by such parties as may be determined by the arbitrators.

SECTION 10 - EFFECTIVE DATE

10.01 Effective Date

Subject to matters requiring a special resolution, this by-law shall be effective when made by the board.

CERTIFIED to be By-Law No. 1 of the Corporation, as enacted by the directors of the Corporation by resolution on the th day of , 20 and confirmed by the members of the Corporation by special resolution on the day of , 20 .

Dated as of the th day of , 20 .

President

Secretary

11.3 Housing Authority Objectives

HOUSING AUTHORITY OBJECTIVES

1. To establish, construct and maintain affordable, quality housing and other buildings and facilities for members of the Community/First Nation

2. To establish, construct and maintain affordable, quality housing and other buildings and facilities for Elders and disabled members of the Community/First Nation

3. To establish, construct and maintain affordable, quality rental housing and rent-to-own housing and facilities for members, Elders and disabled members of the Community/First Nation

4. To establish and promote social service housing, income support, and assisted care for members, Elders and disabled members of the Community/First Nation as required and as needed

5. To identify community need and to determining the social portfolio of the community by assessing living and housing conditions and investigating the means and methods of improving these conditions

6. To develop, implement, and monitor long-term planning for community housing

7. To oversee and enable the operation and maintenance of Community/First Nation housing projects and programs, including fulfilling all administrative duties traditionally associated with the development and management of social housing programs

8. To publish and disseminate information in various media formats including but not limited to written, electronic, television, radio, internet and other media with regard to housing, construction practices, inspection practices, standards, repairs, renovations and other educational material regarding housing

9. To establish, develop, construct and maintain offices, Cultural and Recreation Centres, and other buildings and facilities for administrative purposes and activities for the advancement, promotion, preservation and protection of the within objectives

10. To ensure that all housing and other buildings are built and constructed to National Building Code standards.

11. To development maintain, publish and disseminate documents, forms and other materials related to housing including leases, tenancy agreements, housing policy, housing by-laws, releases, notices and other related and relevant documentation and materials regarding housing.

12. To develop, undertake and promote educational seminars, courses, and training regarding housing ownership, tenancy agreements, leases and related matters

13. To develop, undertake and promote educational seminars, courses, and training regarding housing construction, renovation and inspections and related matters

14. To develop and maintain a comprehensive database on all community housing units that includes ut is not limited to information such as to what programs were accessed for building and repairs, loans outstanding, services (water, sewer, roads) available, inspection reports, condition of unit, year it was built, other requisite unit particulars and other matters in relation thereto

15. To develop, promote, establish and maintain policies and procedures regarding the ownership of homes and the rent-to-own of homes on the Community/First Nation Territory.

16. To work with and liaise with the applicable and relevant Federal, Provincial, Municipal, Indigenous and Tribal Council governmental authorities including but not limited to housing ministries, Band Councils and corporations including the Canada Mortgage and Housing Corporation

17. To educate members and the membership and general public with regard to housing issues as they pertain to the Community/First Nation

18. To participate in economic, social, scientific, cultural, political, traditional development and other programs and to secure funding through all lawful means including but not limited to the common law, the *Canada Not for profit Corporations Act S.C. 2009 c.23* and any successor legislation thereto to advance the within objectives of the Community/First Nation as set out herein

19. To advance, promote, preserve and protect the cultural, spiritual, economic, political and social traditions of the Community/First Nation with particular regard to housing and related matters.

20. To advance, promote, preserve and protect Mother Earth and the land, water, flora and fauna of the Community/First Nation traditional lands and traditional management and sustainability practices with regard thereto

21. To advance, promote, preserve and protect the Aboriginal rights, Treaty rights, and human rights of the Community/First Nation.

22. To hire and retain Elders, experts and other professional advisors to assist in the advancement of these within objectives

23. To reporting to the Chief and Council, and the community at large on all aspects of the corporation's operations in order to ensure political, financial, and public accountability and operational transparency.

24. And such other complimentary purposes not inconsistent with these objects

11.4 Resolution of the Board of Directors

RESOLUTION OF THE BOARD OF DIRECTORS

OF

[INSERT NAME OF CORPORATION]

BY LAW NO. 1

BE IT RESOLVED THAT:

By-law No.1 of the Corporation, being a by-law regulating the business and affairs of the corporation, is hereby made

The proper officers of the Corporation be authorised and directed to sign By-law No. 1 and place such by law for approval at a general or special meeting of the members.

The undersigned being the authorised and proper officers of the Corporation, hereby sign the foregoing resolution in accordance with the *Canada Not for Profit Corporations Act*.

Dated:

11.5 Consent to Act as First Director

CONSENT TO ACT AS FIRST DIRECTOR

I, **[INSERT NAME OF DIRECTOR]**

address for service

[INSERT ADDRESS FOR SERVICE]

hereby consent to act as a first director of

the **[INSERT NAME OF CORPORATION]**

Name and signature

11.6 Resolution of the Board of Directors – Banking Bylaw

RESOLUTION OF THE BOARD OF DIRECTORS

OF

[INSERT NAME OF CORPORATION]

BE IT RESOLVED THAT:

BANKING

BE IT RESOLVED THAT the proper officers of the Corporation be authorised and directed to execute and deliver to the Corporation=s bankers such banking documents as are requisite or necessary in order to operate and account or accounts with such bankers.

The undersigned being the authorised and proper officers of the Corporation, hereby sign the foregoing resolution in accordance with the *Canada Not for Profit Corporations Act*.

Dated:

President

11.7 Articles of Incorporation (Form 4001)

Industry Canada / Industrie Canada **Form 4001**

Articles of Incorporation

Canada Not for profit Corporations Act (NFP Act)

Formulaire 4001

Statuts constitutifs

Loi canadienne sur les organisations à but non lucratif (Loi BNL)

1 Corporate name
Dénomination de l'organisation

2 The province or territory in Canada where the registered office is situated
La province ou le territoire au Canada où est maintenu le siège

3 Minimum and maximum number of directors
Nombres minimal et maximal d'administrateurs

Min. 1 Max. 15

4 Statement of the purpose of the corporation
Déclaration d'intention de l'organisatio

See attached schedule / Voir l'annexe ci-jointe

5 Restrictions on the activities that the corporation may carry on, if any
Limites imposées aux activités de l'organisation, le cas échéant

None

6 The classes, or regional or other groups, of members that the corporation is authorized to establish
Les catégories, groupes régionaux ou autres groupes de membres que l'organisation est autorisée à établir

See attached schedule / Voir l'annexe ci-jointe

7 Statement regarding the distribution of property remaining on liquidation
Déclaration relative à la répartition du reliquat des biens lors de la liquidation

See attached schedule / Voir l'annexe ci-jointe

8 Additional provisions, if any

Dispositions supplémentaires, le cas échéant

See attached schedule / Voir l'annexe ci-jointe

9 **Declaration:** I hereby certify that I am an incorporator of the corporation.

Déclaration : J'atteste que je suis un fondateur de l'organisation.

Name(s) - Nom(s) Signature

A person who makes, or assists in making, a false or misleading statement is guilty of an offence and liable on summary conviction to a fine of not more than $5,000 or to imprisonment for a term of not more than six months or to both (subsection 262(2) of the NFP Act).

La personne qui fait une déclaration fausse ou trompeuse, ou qui aide une personne à faire une telle déclaration, commet une infraction et encourt, sur déclaration de culpabilité par procédure sommaire, une amende maximale de 5 000 $ et un emprisonnement maximal de six mois ou l'une de ces peines (paragraphe 262(2) de la Loi BNL).

You are providing information required by the NFP Act. Note that both the NFP Act and the *Privacy Act* allow this information to be disclosed to the public. It will be stored in personal information bank number IC/PPU-049.

Vous fournissez des renseignements exigés par la Loi BNL. Il est à noter que la Loi BNL et la *Loi sur les renseignements personnels* permettent que de tels renseignements soient divulgués au public. Ils seront stockés dans la banque de renseignements personnels numéro IC/PPU-049.

IC 3419 (2008/04)

Schedule / Annexe

Purpose Of Corporation / Déclaration d'intention de l'organisation

25. To establish, construct and maintain affordable, quality housing and other buildings and facilities for members of the Community/First Nation

26.

27. To establish, construct and maintain affordable, quality housing and other buildings and facilities for Elders and disabled members of the Community/First Nation

28. To establish, construct and maintain affordable, quality rental housing and rent-to-own housing and facilities for members, Elders and disabled members of the Community/First Nation

29. To establish and promote social service housing, income support, and assisted care for members, Elders and disabled members of the Community/First Nation as required and as needed

30. To publish and disseminate information in various media formats including but not limited to written, electronic, television, radio, internet and other media with regard to housing, construction practices, inspection practices, standards, repairs, renovations and other educational material regarding housing

31. To establish, develop, construct and maintain offices, Cultural and Recreation Centres, and other buildings and facilities for administrative purposes and activities for the advancement, promotion, preservation and protection of the within objectives

32. To ensure that all housing and other buildings are built and constructed to National Building Code standards.

33. To development maintain, publish and disseminate documents, forms and other materials related to housing including leases, tenancy agreements, housing policy, housing by-laws, releases, notices and other related and relevant documentation and materials regarding housing.

34. To develop, undertake and promote educational seminars, courses, and training regarding housing ownership, tenancy agreements, leases and related matters

35. To develop, undertake and promote educational seminars, courses, and training regarding housing construction, renovation and inspections and related matters

36. To develop and maintain a comprehensive database on all community housing units that includes ut is not limited to information such as to what programs were accessed for building and repairs, loans outstanding, services (water, sewer, roads) available, inspection reports, condition of unit, year it was built, other requisite unit particulars and other matters in relation thereto

37. To develop, promote, establish and maintain policies and procedures regarding the ownership of homes and the rent-to-own of homes on the Community/First Nation Territory.

38. To work with and liaise with the applicable and relevant Federal, Provincial, Municipal, Indigenous and Tribal Council governmental authorities including but not limited to housing ministries, Band Councils and corporations including the Canada Mortgage and Housing Corporation

39. To educate members and the membership and general public with regard to housing issues as they pertain to the Community/First Nation

40. To participate in economic, social, scientific, cultural, political, traditional development and other programs and to secure funding through all lawful means including but not limited to the common law, the *Canada Not for profit Corporations Act S.C. 2009 c.23* and any successor legislation thereto to advance the within objectives of the Community/First Nation as set out herein

41. To advance, promote, preserve and protect the cultural, spiritual, economic, political and social traditions of the Community/First Nation with particular regard to housing and related matters.

42. To advance, promote, preserve and protect Mother Earth and the land, water, flora and fauna of the Community/First Nation traditional lands and traditional management and sustainability practices with regard thereto

43. To advance, promote, preserve and protect the Aboriginal rights, Treaty rights, and human rights of the Community/First Nation.

44. To hire and retain Elders, experts and other professional advisors to assist in the advancement of these within objectives

45. And such other complimentary purposes not inconsistent with these objects

Schedule / Annexe

Classes of Members / Catégories de membres

The Corporation is authorized to establish one class of members. Each member shall be entitled to receive notice of, attend and vote at all meetings of the members of the Corporation.

Distribution of Property on Liquidation / Répartition du reliquat des biens lors de la liquidation

Any property remaining on liquidation of the Corporation, after discharge of liabilities, shall be distributed to one or more qualified donees within the meaning of subsection 248(1) of the Income Tax Act.

Additional Provisions / Dispositions supplémentaires

If authorized by a by-law which is duly adopted by the directors and confirmed by ordinary resolution of the members, the directors of the corporation may from time to time:

1. borrow money on the credit of the corporation;

2. issue, reissue, sell, pledge or hypothecate debt obligations of the corporation; and

3. mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the corporation, owned or subsequently acquired, to secure any debt obligation of the corporation.

Any such by-law may provide for the delegation of such powers by the directors to such officers or directors of the corporation to such extent and in such manner as may be set out in the by- law.

Nothing herein limits or restricts the borrowing of money by the corporation on bills of exchange or promissory notes made, drawn, accepted or endorse

NOTE: THIS FORM CAN BE FOUND ON LINE AT

https://www.ic.gc.ca/eic/site/cd-dgc.nsf/eng/cs04977.html

11.8 Funding Agreement

FUNDING AGREEMENT

BETWEEN

_FIRST NATION

- and -

_HOUSING AUTHORITY

WHEREAS the First Nation (hereinafter AFirst Nation@) maintains that it has, since time immemorial, been and is a sovereign nation and affirms its inherent right to self government by designating the Chief and Council to act on its behalf;

AND WHEREAS on or about the th day of 2018 the First Nation established the Housing Authority (hereinafter A Housing Authority) to, among other objectives, regulate residency and housing on reserve and in particular the allocation, use and occupancy of First Nation owned and other houses on reserve;

AND WHEREAS the First Nation receives, from time to time, funding and other monies for the operation of it=s government and the provision of programs and services to it=s members;

AND WHEREAS the Chief and Council of the First Nation recognize and agree that the Housing Authority as an independent organization requires funding to operate and provide its programs and services to the members of the First Nation;

AND WHEREAS the Housing Authority wishes to receive funding from the First Nation to operate and provide its programs and services to the members of the First Nation.

NOW THEREFORE this Funding Agreement (the "Agreement") is made and entered into as of the th day of 20___, by and between the First Nation and the Housing Authority.

Term of Agreement

10. The term of this Agreement will be from _____ until _____.

11. The fiscal year under this Agreement begins April 1st of a calendar year and ends March 31st of the next calendar year unless otherwise agreed to in writing by the parties.

12. The First Nation will transfer amounts to the Housing Authority according to the time frames and amounts as set out in schedule “A” attached to this Agreement.

13. If this Agreement covers more than one fiscal year, the First Nation will for each new fiscal year of this Agreement provide by notice a revised Schedule “A” setting out the schedule of payment for the fiscal year.

14. The Housing Authority must provide the Programs and Services and carry out the Activities and Projects for which funding is provided under this Agreement in accordance with Schedule A attached hereto.

15. The First Nation may, upon reasonable notice and in consultation with the Housing Authority:

(i) make adjustments to the schedule of payments for a fiscal year if requested by the Housing Authority;

(ii) increase or decrease funding for a fiscal year;

(iii) withhold any amounts of funding until the terms and conditions of this Agreement are met or the terms and conditions of other source Agreements are met and/or satisfied

(iii) terminate funding by giving the Housing Authority 120 calendar days notice before payment is made if any program or service on which the funding is based is changed or terminated by any provincial or federal government, Tribal Council or the First Nation.

(iv) terminate funding or withhold funding if any other government or other source duplicates funding under this Agreement

Termination of Agreement

16. Either the First Nation or the Housing Authority may by notice terminate this Agreement other than for default if the First Nation and the Housing Authority agree on a time line for terminating this Agreement that will minimize the impact on delivery of the programs, services, projects, activities and objectives as contemplated by this Agreement.

17. If this Agreement is terminated, the Housing Authority must:

(i) refund any unexpended funding;

(ii) refund any debt owing and payable to the First Nation; and

(iii) refund amounts specified in a notice requiring a refund.

18. If this Agreement is terminated, the First Nation must pay to the Housing Authority any amount owed to the Housing Authority up to the termination date of this Agreement unless the parties to this Agreement agree otherwise in writing.

Audits

19. At any time during the term of this Agreement or within five years of its expiry or termination, the First Nation may carry out one or more audits evaluations or reviews of the Housing Authority, for any or all of the following purposes:

(i) to assess the effectiveness of any or all of the Programs, Services, Activities and Projects funded under this Agreement;

(ii) to review the Housing Authority=s management practices including program management practices;

(iii) to review the Housing Authority=s financial controls;

(iv) to assess compliance with this Agreement; and

(v) to confirm that information reported to the First Nation is complete and accurate.

20. Any audit, evaluation or review under this Agreement may be carried out by one or more auditors, evaluators or officers employed by or on contract with the First Nation.

21. The Housing Authority will cooperate in any audit, evaluation or review under this Agreement by:

(i) providing all necessary assistance to the auditor, evaluator or officer;

(ii) providing access to all requested accounts and records relating to this Agreement including original supporting documents;

(iii) providing access to any premises under the First Nation's control;

(iv) allowing the auditor, evaluator or officer to inspect accounts and records and, except where prohibited by law, to take copies or extracts of those accounts and records; and

(v) providing any additional information the auditor, evaluator or officer may require in respect of the accounts and records.

22. If requested by the auditor, evaluator or officer, the Housing Authority will

(i) direct anyone that has provided accounting or record keeping services to the First Nation to provide original supporting documents of those accounts and records to the auditor, evaluator or officer; and

(ii) give consent to the First Nation's independent auditor to give the auditor, evaluator or officer access to the working papers that support the independent auditor's opinion or disclaimer of opinion.

Reporting

23. The First Nation may establish, upon consultation with the Housing Authority, guidelines, time frames, format and deadlines for reporting to the Chief and Council and the Community regarding the activities of the Housing Authority and its activities regarding the funding as provided pursuant to this Agreement.

24. The Housing Authority will keep all financial and non-financial records that may be required to prepare reports under this Agreement and to complete any audits, evaluations or reviews under this Agreement.

Default by Housing Authority

25. The Housing Authority may be in default of this Agreement under any of the following circumstances:

(i) the Housing Authority does not fulfill any obligation under this Agreement;

(ii) the First Nation's auditor gives a disclaimer of opinion or adverse opinion on the financial statements of the Housing Authority;

(iii) the Housing Authority=s financial position puts the delivery of any Program, Service or Activity or any Project for which funding is provided at risk;

(iv) the First Nation determines that the health, safety or welfare of First Nation community members is at risk; and

(v) the Housing Authority is in default under any other funding agreement with the First Nation or any other entity

26. If it is reasonably necessary in the event of a default, the First Nation may, by reasonable notice to the Housing Authority take any or all of the following actions:

(i) require that within 60 calendar days the Housing Authority establish a management action plan acceptable to the First Nation;

(ii) require the Housing Authority to seek advisory support acceptable to the First Nation;

(iii) appoint a third party funding manager and/or other advisory support to administer, in whole or in part, funding otherwise payable to the Housing Authority and to manage the Housing Authority=s obligations under this Agreement;

(iv) withhold funding under this Agreement;

(v) require other actions to remedy the default including dispute resolution; and

(vi) terminate this Agreement.

Dispute Resolution

27. Should any dispute, controversy, claim or matters in question arise from or be related to this Agreement or the breach of this Agreement, the parties agree to apply the following mechanism to resolve such dispute, controversy, claim or matter in question:

(i) Good Faith Negotiations. Any party may notify the other party of a dispute, controversy or claim (dispute). The parties and/or their representatives shall discuss the dispute in person or by telephone and each shall attempt, in good faith, to resolve the matter in a fashion reasonably acceptable to all parties.

(ii) Mediation. If the parties are unable to mutually resolve the dispute through good faith negotiations, the parties may refer the dispute to non binding mediation. The parties shall select a single mediator acceptable to all parties. If a mediator cannot be selected within three (3) days after the dispute is submitted, each party will propose two mediators each and the mediator shall be chosen by a blind draw. The mediator shall set a full day for mediation as soon as possible. The parties shall appear at the mediation session in person or through a representative and a person with authority to make final and binding decisions shall be designated by each party and shall be present in person or by telephone for the full mediation session. The parties shall mediate the dispute in good faith and attempt to reach a mutual agreed upon resolution. The parties shall equally share in the cost of the mediation. Each party is responsible for its own legal fees incurred in preparation for and attending the mediation.

(iii) Arbitration. If the dispute is not resolved within five (5) days following the mediation, the dispute shall be decided by a single Arbitrator in accordance with the Arbitrations Act, 1991 (Ontario) unless the parties mutually agree otherwise in writing. Any of the parties may begin the arbitration by written notice to the other party. The award of the arbitrator may be entered as a judgment in any court of competent jurisdiction. Any such arbitration shall be conducted in the First Nation Territory or any other place the parties may agree in writing. The Prevailing party shall be entitled to collect all of its costs, expenses, and reasonable legal fees from the other party.

Notice

28. Any Notice under this Agreement, must be in writing and shall be dated as of the date of:

(i) delivery for notices delivered in person;

(ii) acknowledgment of receipt for notices by registered mail or courier; and

(iii) transmittal for notices by facsimile or email.

Notice to the First Nation shall be sent to:

Notice to the Housing Authority shall be sent to:

Miscellaneous

29. If exceptional circumstances occur during the term of this Agreement which were not

reasonably foreseeable at the date this Agreement came into effect and which have a significant impact on Housing Authority=s performance of this Agreement, the Housing Authority may request changes to the level of funding for the affected program, service, activity or project or other assistance. If the First Nation agrees to change the level of funding, that change will be made by way of an amendment to this Agreement.

30. Notwithstanding any other provision of this Agreement, funding under this Agreement is subject to the ability of the First Nation to provide funding from its sources which include but may not be limited to Federal and Provincial funding and other sources of funding. The First Nation may change or terminate funding under this Agreement if the Federal or Provincial governments reduce or deny funding to the First Nation.

31. The Housing Authority’s obligations in respect of indemnification, record keeping, reporting, refunds, use of unexpended funding and cooperation with audits, evaluation and reviews survive the termination or expiry of this Agreement.

32. This "Agreement" includes all Annexes and any amendments.

33. This Agreement may be amended by way of a notice to the Housing Authority to:

(i) extend reporting deadlines;

(ii) approve adjustments to the timing of payments;

(iii) adjust the maximum funding in accordance with any adjustment factors set out in Schedule A ; and

(iv) adjust Schedule A as permitted under this Agreement.

34. This Agreement is the entire agreement between the First Nation and the Housing Authority regarding funding for the Programs, Services, Activities and Projects set out in Schedule A and replaces any previous agreements, commitments, negotiations or discussions.

35. This Agreement does not create any agency, association, joint venture or employer-employee relationship between the First Nation and the Housing Authority

36. The Housing Authority will indemnify the First Nation, and its officers, employees, agents, servants and successors from any claims, demands and liabilities arising from:

(i) any breach of this Agreement by the First Nation;

(ii) acts, omissions or negligence of the Housing Authority or any agent of the First Nation in connection with this Agreement.

(iii) acts, omissions or negligence of the Housing Authority arising out of any breaches of its corporate mandate and the implementation of its aims, purposes and objectives and;

(iv) acts, omissions or negligence of any of the officers, directors, employees, agents, assigns or successors of the Housing Authority

37. The Housing Authority will indemnify and save harmless the First Nation from any claims, demands and liabilities arising from any breach of this Agreement by the Housing Authority.

38. Any waiver of a right to take action under this Agreement must be in writing and does not affect a right to take action on a future occasion.

39. This Agreement will be interpreted in accordance with the laws of Canada and the applicable laws of the Province or Territory in which the Programs and Services are provided and Activities and Projects are carried out.

Further Assurances.

40. The parties shall, with reasonable diligence, do all things and provide all reasonable assurances as may be required to complete the terms and conditions contemplated by this Agreement, and each party shall provide such further documents or instruments required by any other party as may be reasonably necessary or desirable to give effect to this Agreement and carry out its provisions.

Assignment.

41. Except as otherwise expressly provided herein, neither this Agreement nor any rights or obligations shall be assignable by either party without the prior written consent of the other party hereto.

Amendment and Waiver.

42. No supplement, modification, amendment or waiver of this Agreement shall be binding unless executed in writing by both parties. No waiver of any of the provisions of this Agreement shall constitute a waiver of any other provision (whether or not similar) nor shall such waiver constitute a continuing waiver unless otherwise expressly provided.

Successors and Assigns.

43. This Agreement shall ensure to the benefit of and be binding upon the parties and their respective heirs, executors and administrators or successors and permitted assigns, as the case may be.

Severability.

44. If any provision in this Agreement is determined to be invalid, void or unenforceable by the decision of any court of competent jurisdiction, which determination is not appealed or appealable for any reason whatsoever, the provision in question shall not be deemed to affect or impair the validity or enforceability of any other provision of this Agreement and such invalid or unenforceable provision or portion thereof shall be severed from

Independent Legal Advice.

45. The parties acknowledge that they have been advised to obtain, and that they have obtained or have been afforded the opportunity to obtain, independent legal advice with respect to this Agreement and that they understand the nature and consequences of this Agreement.

Proper Law of Contract

46. This Contract shall be governed by and construed under the laws of the First Nation wherein this contract is executed and any applicable laws of the province or Territory where the First Nation is located and federal laws of Canada as applicable.

Force Majeure

47. Neither Party shall be responsible for any delay or failure in performance of any part of this Agreement to the extent that such delay or failure is caused by fire, flood, explosion, war, embargo, government requirement, civil or military authority, acts of God, strikes, slowdowns, picketing, boycotts, or any other circumstances beyond its reasonable control and not involving any fault or negligence of the Party affected (condition). If any such condition occurs, the Party delayed or unable to perform ("Delayed Party") shall promptly give written notice to the other Party. If such condition remains at the end of (30) thirty days, the Party affected by the other's delay or inability to perform ("Affected Party") may elect to (i) terminate the Agreement or (ii) suspend the Agreement for the duration of the condition, and require the Delayed Party to resume performance of the Agreement once the condition ceases, with an option in the Affected Party to extend the period of this Agreement up to the length of time the condition endured.

48. The Parties may grant appropriate extensions to cover such periods of delays. Any extension shall be in writing and stipulate the amended dates of completion or performance as the case may be.

Agreement Supersedes

49. The First Nation and the Housing Authority acknowledge and agree this Agreement supersedes all prior communications and agreements as between them. There are no other agreed terms outside of this Agreement and attachments hereto.

This AGREEMENT made this day of , 2018

Name:_____

First Nation

Name:_____

Housing Authority

SCHEDULE A

Disbursement Amount	Date of Disbursement	Particulars of Disbursement
1.		
2.		
3.		
4.		

11.9 Sample BCR – Funding Agreement

SAMPLE BCR – FUNDING AGREEMENT

WHEREAS the First Nation maintains that, since time immemorial, it has been and is a sovereign nation and affirms its inherent right to self-government by designating the Chief and Council to act on its behalf;

AND WHEREAS, the First Nation has a need for quality, cost effective, safe, accessible and sanitary housing for families, individuals, Elders and disabled members;

AND WHEREAS the First Nation desires to regulate residency and housing on reserve and in particular the allocation, use and occupancy of band-owned and other houses on reserve;

AND WHEREAS on or about the th day of 2018 the First Nation established the Housing Authority (hereinafter AHousing Authority@) to, among other objectives, regulate residency and housing on reserve and in particular the allocation, use and occupancy of First Nation owned and other houses on reserve;

AND WHEREAS the First Nation receives, from time to time, funding and other monies for the operation of it=s government and the provision of programs and services to it=s members;

AND WHEREAS the Chief and Council of the First Nation recognize and agree that the Housing Authority as an independent organization requires funding to operate and provide its programs and services to the members of the First Nation;

AND WHEREAS the Housing Authority wishes to receive funding from the First Nation to operate and provide its programs and services to the members of the First Nation.

NOW, THEREFORE, BE IT RESOLVED by the First Nation:

1. That Chief and Council Approve funding for the Housing Authority.
2. That Chief and Council enter into the Funding Agreement (hereinafter the “Agreement”) with the Housing Authority which Agreement is attached to and forms part of this resolution
3. That funding to the Housing Authority be provided as set out in the Agreement and more particularly Schedule A of the Agreement

ADOPTED at First Nation, Reserve No. this day of , 20 .

_____

Chief

_____

Councilor

_____

Councilor

_____

Councilor

SAMPLE ONLY

Table of Contents: Operations Manual

Code	Item	Last Updated
1.0 Policies		
	Rents Collections	June 14, 2017
	Condition Inspections Policy	June 2, 2017
	Tenant Selection - MRGI Units	June 2, 2017
	Ending Tenancy	July 5, 2017
	Tenant Selection - MAR Units	July 4, 2017
	Internal Transfers	July 5, 2017
	Tenant Notice to Vacate	July 5, 2017
	Complaint Resolution Policy	July 5, 2017
	Security and Pet Deposit Policy	July 4, 2017
	Arbitration Procedure	July 5, 2017
	Procurement Policy	June 2, 2017
	Death of a Tenant	July 5, 2017
	Unit Turnovers	June 2, 2017
	Standard of Charges	Aug 10, 2017
	Locks, Keys and Access	June 17, 2017
	Emergencies, Security, and Fire Safety	June 17, 2017
2.0 Forms		
	Crime Free Housing Addendum	July 5, 2017
	RTA Compliant Condition Inspection Report	July 18, 2017
	Property Release Form	June 14, 2017
	Security and Pet Deposit Refund Request Form	July 5, 2017
	Request to Raise a Charge	July 5, 2017
	Service Desk Request	July 4, 2017
	Residential Tenancy Agreement	April 08, 2019
	Repayment Agreement Form	Oct 23, 2017
	Complaint Resolution Form	June 2, 2017
	Missing Receipt Form	June 14, 2017
	Pet Registration Form	June 14, 2017
	Pet Ownership Rules - Addendum	June14, 2017
	Credit Card Agreement Form	July 5, 2017
	Incident Report Form	June 14, 2017
	Unit Turnover Form	June 14, 2017
	Work Order Form	2017
	Notice of Entry Form	July 5, 2017
	Vendor Direct Deposit Form (Use with Adding a Vendor Form F035)	July 5, 2017
	Pre-Authorized Debit (Tenant payments to M'akola)	July 5, 2017
	Medical Transfer Doctors Note	July 5, 2017

	Tenant Cleaning Checklist	June 14, 2017
	Payment Request – Replaces Cheque Request Form – MDS	June 14, 2017
	Payment Request – Replaces Cheque Request Form – MHS	June 14, 2017
	Application to Join a Tenancy	July 5, 2017
	Fax Cover Template for Evidence Package	July 4, 2017
	Evidence Package Coversheet	July 4, 2017
	Authorization to Share Information	Oct 12, 2017
	Region Staff Meeting Agenda	July 4, 2017
	Region Staff Meeting Minutes	July 4, 2017
	M'akola Market Rental Application	January 28, 2019
	M'akola MRGI Family Rental Application	2016
	Adding a Vendor Form (Use with Vendor Direct Deposit Form F021)	November 9, 2018
	Sample Daily Log – Administration	July 6, 2017
	Weekly Maintenance Log	2017
	Travel Requisition Form	April 1, 2019
	Site Maintenance Schedule	2017
	Mileage Form	April 1, 2019
	MRGI Addendum	July 26, 2017
	M'akola Transfer Request Form	Aug 10, 2017
	Annual Maintenance Checklist – Cowichan Example	Oct 26, 2017
	Maintenance Schedule and Tracking List – Example	Oct 26, 2017
	M'akola Intercom Agreement	March 15, 2019
	M'akola Parking Agreement	March 18, 2019
3.0 Rent Reviews		
	Annual Rent Review Information Insert	
	Application for Rent Subsidy	
	Income Source Information Sheet	July 10, 2017
	Personal Income Declaration Form	
	Request for Rent Reviews/Rent Adjustment Information Sheet	
	Request for Adjustment Form	
4.0 Information and Resources		
	Tenant Handbook	June 15, 2017
	Complaint and Dispute Resolution Process	July 5, 2017
	Community Resource Lists	
Extra Resources		

For more information, please visit the BC Housing Website and the Residential Tenancy Branch Website.



Appendix I

Land Use Plan and Zoning Bylaw Review

HUU-AY-AHT FIRST NATIONS HOUSING PROJECT
HOMES FOR OUR CITIZENS

APPENDIX TO THE INTERIM REPORT OF THE INDEPENDENT HOUSING PANEL
REVIEW OF LAND USE PLAN AND ZONING REGULATIONS

INTRODUCTION

Huu-ay-aht First Nations (HFN) Executive Council approved the Terms of Reference for the Independent Housing Panel In January 2019. Among these Terms was the expectation that the Panel would 'consider land use and zoning legislation' (among a number of other topics), and:

- Prepare recommendations for practical changes to housing and land use related legislation and regulations, including Land Use Plan and Zoning Regulations
- Recommend an implementation plan and identify sufficient funding sources.

The purpose of this Appendix is to summarize the Panel's findings which fulfil these aspects of its Terms of Reference.

LEGISLATIVE BACKGROUND

The Maa-nulth First Nations Final Agreement, to which HFN First Nations was a participant and signatory, was concluded in April 2011. HFN refers to this Agreement as the Huu-ay-aht Treaty. One of the requirements of Treaty was that HFN create land use, zoning and related regulations. This work was enabled through HFN's *Community Planning and Development Act* (also passed in 2011). The initial Land Use Plan Regulation was created in 2011, and updated in 2013. Similarly, the first HFN Zoning Regulation was developed in 2011, and updated in 2013. Official Consolidation versions (current to December 18, 2014) of these 2013 Regulations were available to the Panel, and were drawn upon for this review.

LAND USE PLAN REGULATION REVIEW

The Panel reviewed the current Land Use Plan Regulation to determine whether the housing and related initiatives being recommended by the Panel were consistent with the vision, goals and policies set out in the Regulation. Examples of relevant Panel recommendations under consideration include:

- Pilot modular housing project on Nookemus Road in upper Anacla
- Enhanced facilities for citizens in Anacla to support community sustainability
- Upgrading of the Port Alberni to Anacla / Bamfield Road.

The current Regulation provides a solid foundation on which to move forward with these and other recommendations of the Panel. This statement is based upon the following observations:

- The Plan's Vision and Guiding Principles are congruent with what was heard during citizen engagement, as well as from the Panel's review of other HFN documents
- The role of the Plan is consistent with that of other broad community plans undertaken by other First Nations, as well as local governments in BC
- The Plan's goals are appropriate
- Specific sections of the Plan dealing with Sustainability, Environmental and Cultural Protection, Land Use Designations / Goals / Policies, Transportation and Intergovernmental relationships generally reflect current and desired conditions on HFN lands.

The Panel would like to offer some suggestions for refreshing the Land Use Plan Regulation. These are set out later in this Appendix.

ZONING REGULATION REVIEW

Consistent with the method used by the Panel to review the Land Use Plan Regulation, the Zoning Regulation was considered from the perspective of congruency with the Panel's other recommendations, as well as overall approach. The approach is very consistent with other zoning regulations found in First Nations and local government communities throughout BC. Land use zones are established, permitted uses and detailed density / building siting and height / parking / other conditions are stated for each zone, and general regulation and definitions which apply widely throughout the Regulation are included. A map which is intended to link the land use zones to HFN's land base is also included in the Regulation.

PANEL RECOMMENDATIONS

Revisions to Land Use Plan and Zoning Regulations

The 2013 versions of the HFN Land Use Plan and Zoning Regulations provide a solid basis from which to complete some suggested refinements. Given the time period between the preparation of these Regulations, it is suggested that both be refreshed to ensure that they reflect current conditions and aspirations of the HFN community.

With respect to the Land Use Plan, the Panel specifically suggests that the following be addressed:

- Broaden Part 4 – Sustainability to ensure that the goals set out in this section capture the full range of social, cultural, wellness, education and other dimensions of sustainability of HFN, in addition to the energy and economic-related goals set out in the current Plan
- Strengthen Part 7 – Transportation to underscore the vital importance of upgrading the Port Alberi – Anacla / Bamfield Road, as well as the connection between lower and upper Anacla

The Panel also noted that there is an opportunity to clarify the land use categories and accompanying goals, policies and application to HFN's land base. In the latter instance – application to the land base – this can take the form of an updated set of maps for all Treaty Settlement Lands with special insets for Anacla, Grappler and Kiixin. These maps should be updated once the land use categories are finalized, and ensure consistency between the text and maps. Specific examples in this regard are provided as an attachment to this Appendix.

It is also important to note that the Land Use Plan contains a number of Development Permit Areas which provide specific requirements for development in environmentally sensitive areas, natural hazard areas (such as steep slopes and tsunami zones), culturally sensitive areas, and lands earmarked for residential, commercial and industrial development. A map is included in the Land Use Plan to indicate the location of each of these Development Permit Areas (copy included in attachments). Once the locations of residential, commercial and industrial development are clarified in the preceding sections of the Land Use Plan Regulation, it is recommended that the Development Permit Area map be updated to ensure all relevant lands subject to this more specific set of requirements are shown in an accurate and consistent manner.

With respect to the Zoning Regulation, key recommendations include confirming the list of zones which HFN wishes to apply to its land base, and then ensure that only one of these zones is applied to each land parcel (surveyed or otherwise). With respect to the list of zones, it appears that there is an appropriate range of residential, commercial, industrial, institutional and other zones to cover current and anticipated land uses. It is recommended that there not be multiple zones applied to one parcel. Should HFN desire, zones can be created for uses which may not be present on the Nations' lands at this time, but that may arise in the future. These zones could appear in the text of the Zoning Regulation, but not necessarily be applied to the land.

Process for Revising Land Use Plan and Zoning Regulations

It is recommended that a multi-step process be followed in revising and updating the current Land Use Plan and Zoning Regulations, and that this process include HFN citizens, Executive Council and staff. A general outline of the suggested process includes:

- Familiarization with the intent of the Land Use Plan and Zoning Regulations
- Review of existing documents in relation to current HFN circumstances
- Preparation of list of key issues to be addressed, including options for addressing these
- Review of list of issues and options to resolve
- Preparation of draft updates to Regulations
- Review of draft updates
- Finalize updates
- Proceed with formal adoption process by Executive Council.

The Panel is aware of guidance documents which would be useful to HFN in moving through the review process. These include 'BC First Nations Land Use Planning: Effective Practices – A Guide Prepared for the New Relationship Trust', and 'CCP Handbook – Comprehensive Community Planning for First Nations in BC'.

Financial Dimensions of Revising Land Use Plan and Zoning Regulations

At this point it is not known whether the process noted above would be undertaken by HFN staff, or a consultant retained to assist HFN. If the latter approach is chosen, a budget of $150,000 is suggested.

The Maa-nulth First Nations Final Agreement (Treaty) provided in Section 1.9.3, the ongoing ability of HFN to access funding programs provided by the Governments of Canada and British Columbia. It is suggested that, should HFN chose to engage consulting assistance with the revisions noted above, relevant funding programs be identified and accessed.

Attachment to Appendix to the Interim Report of the Independent Housing Panel
Review of Land Use Plan and Zoning Regulations

Specific Suggested Revisions – Land Use Regulation Review

With respect to goals and policies that apply directly to HFN's lands, the Regulation uses the appropriate approach of setting out a number of land use categories (such as residential, commercial and so forth), stating goals and policies for each of these categories, and then noting the geographic location where each category is located on HFN's lands. The Panel did, however, discover some challenges with respect to how this approach was carried out. The following is a list of the land use categories contained in the 2013 Land Use Plan Regulation:

- Residential
- Rural Residential
- Commercial
- Community Facilities
- Industrial
- Resource Management
- Stewardship (On Treaty Lands)
- Stewardship Management (Off Treaty Lands)
- Parks, Recreation and Trails
- Protected Areas (No Development)

This list was then compared to the series of maps which form an integral part of the Land Use Plan Regulation. These maps are provided on the following pages of this attachment. The Panel found that the list of land use categories included in the Regulation's text does not match the list on the maps. For example, there are no Community Facility, Industrial, or Parks / Recreation / Trails lands denoted. There is also no legend for the Anacla inset to determine accurately what the land use categories are for lands in several instances.

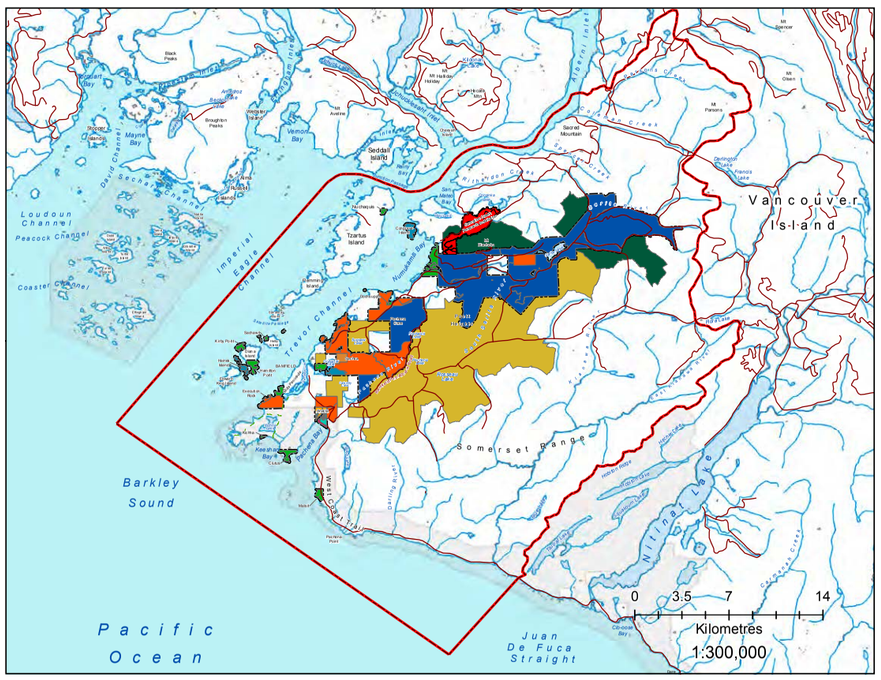
Specific Suggested Revisions – Zoning Regulation Review

The Panel discovered that the list of zones in the Regulation's text does not match the list of zones on the map (see attachment for map). The list of zones in the Regulation's text include:

- R-1 Single Family Residential
- R-2 Multi-Family Residential
- R-3 Rural Residential
- C-1 Local Commercial
- C-2 Highway Commercial
- I-1 Light Industrial
- I-2 General Industrial
- CF – Community Services and Administration
- CD – Comprehensive Development
- RZ – No Development

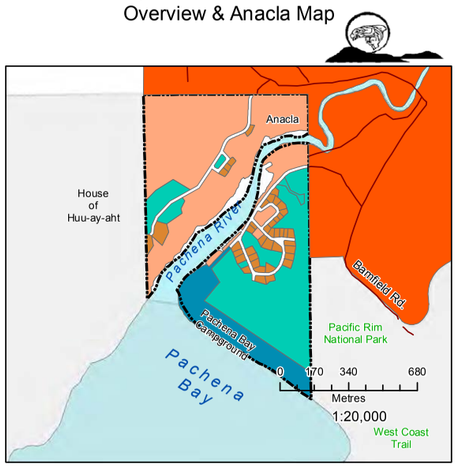
The Light and General Industrial zones are noted in the list, but not on the map; this is also the case with the No Development Zone. It is a bit unusual, but not unheard of, to have zones listed in the text of the regulations, but not appearing on a community's land base. In addition, the list of zones in the text include the RZ – No Development Zone, but there is no detail regarding permitted uses or detailed density / building siting and height / etc. provisions

With respect to the inset for Anacla, it is difficult to tell which zones apply to the lands in both lower and upper Anacla in several instances. With respect to the common shade of orange, it may be that the lands shown in that colour are designated for any of the residential uses (R-1, R-2 and/or R-3), as well as the CD-1 Comprehensive Residential uses. In other words, there would be 4 separate zones applicable to the subject land. This would be quite unusual as an approach to zoning, and make it very difficult to determine accurately the permitted uses and more detailed provisions applicable to those lands.



Huu-ay-aht Land Use Plan

Overview & Anacla Map





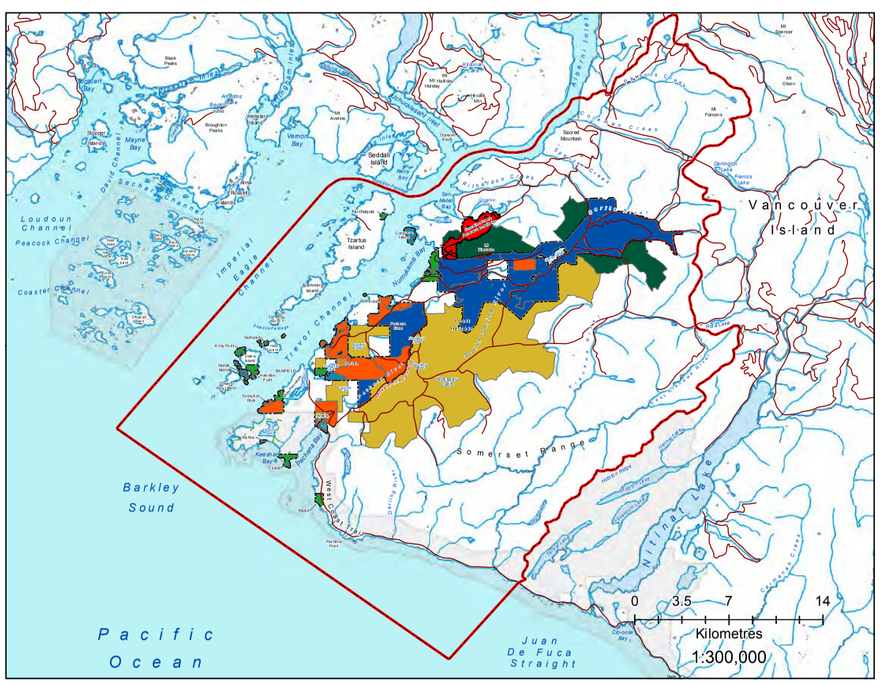




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Datum: BC Albers

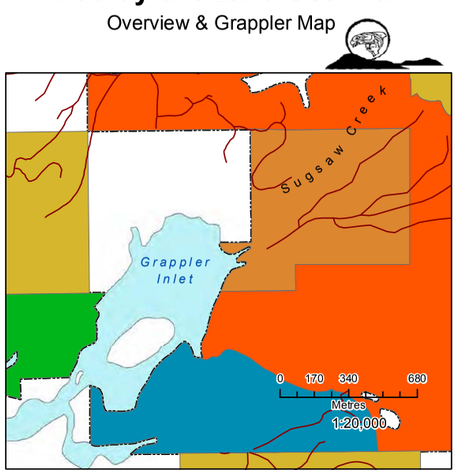
Legend

- Residential Zone
- Rural Residential Zone
- Commercial
- Resource Management
- Stewardship Zone
- Protected
- Huu-ay-aht Treaty Settlement Lands
- HFN Community Forest K3N
- First Nation Woodlands Licence N1A
- Pacific Rim National Park Reserve
- Huu-ay-aht First Nations Traditional Boundary
- Roads



Huu-ay-aht Land Use Plan

Overview & Grappler Map





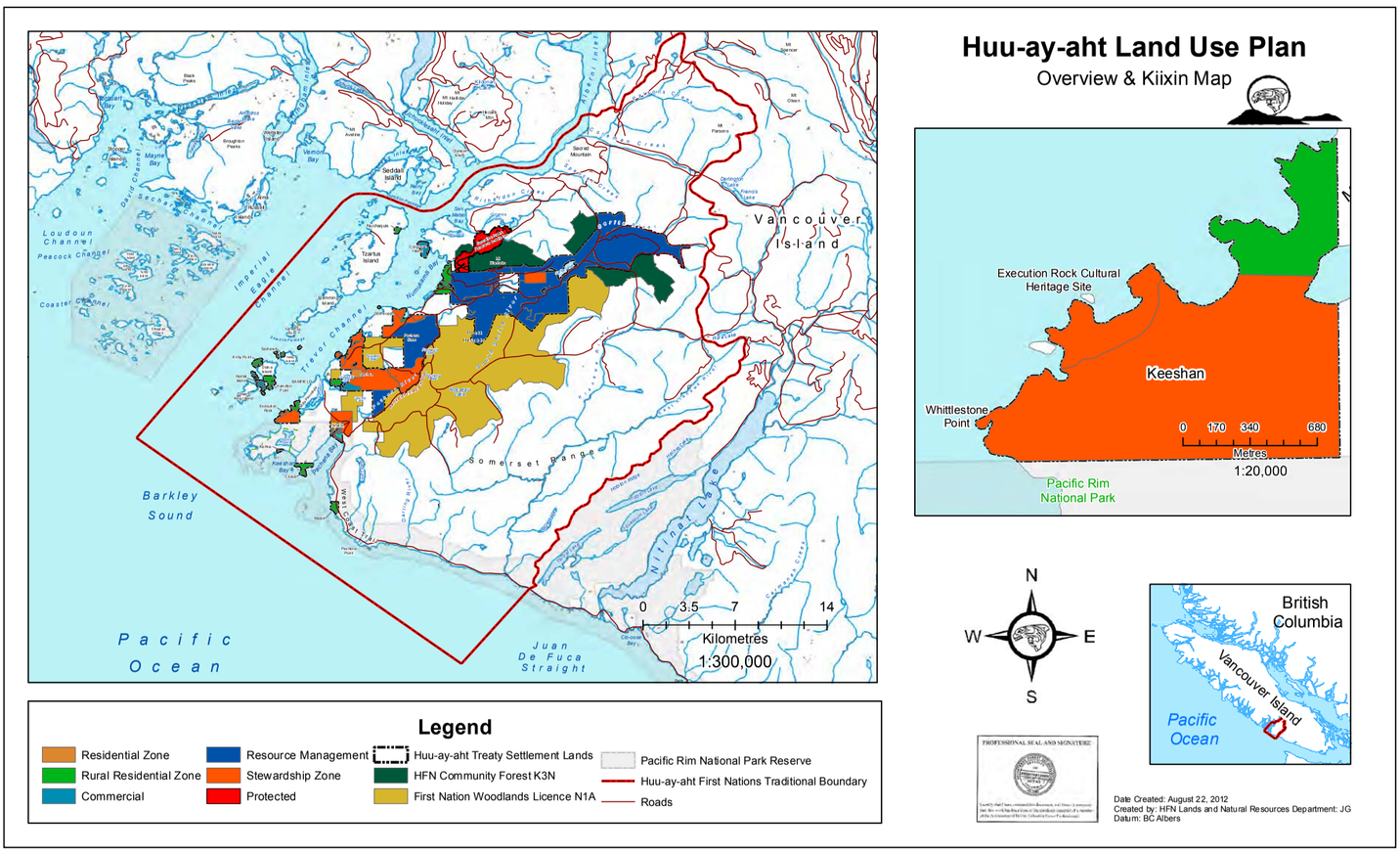


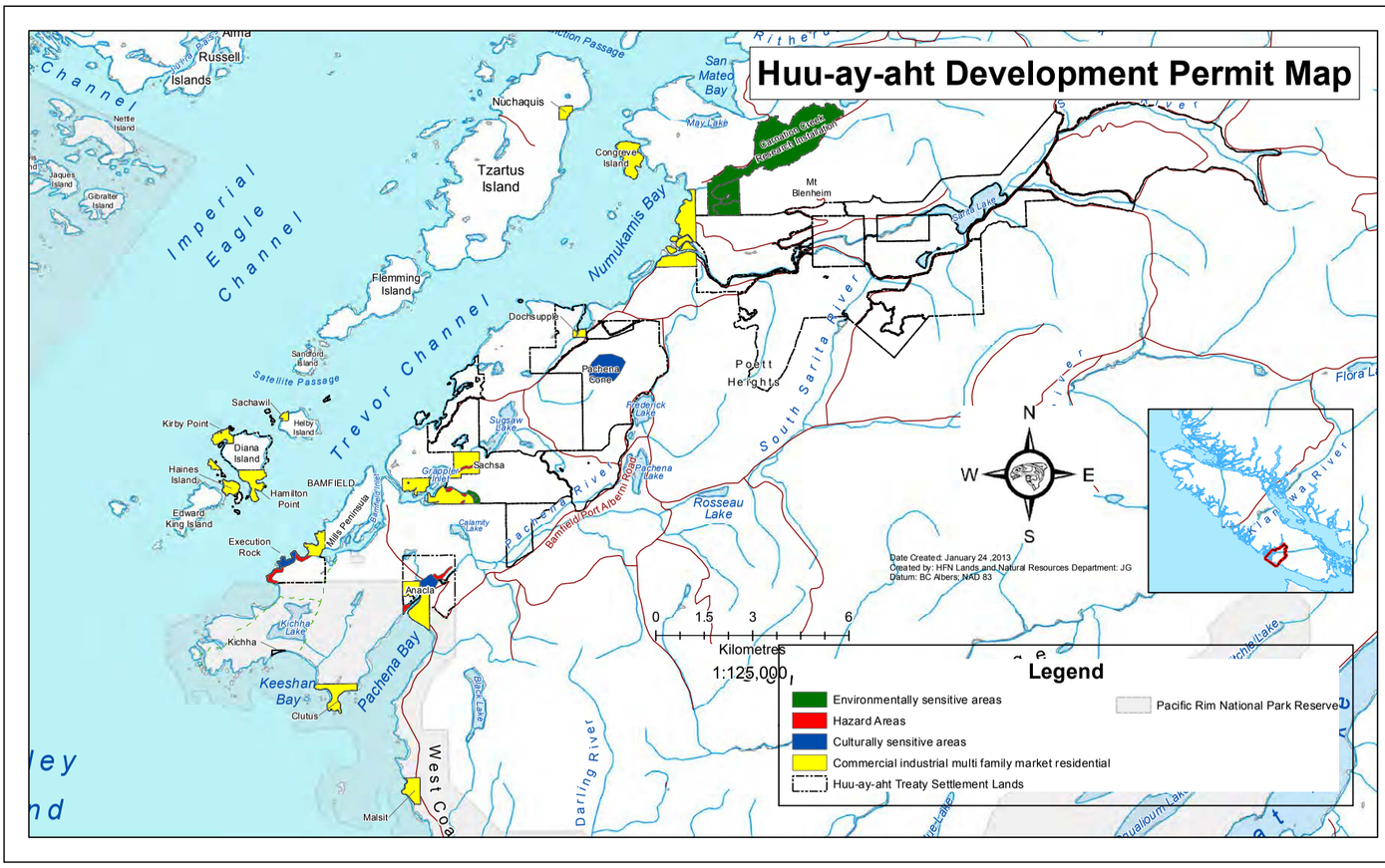


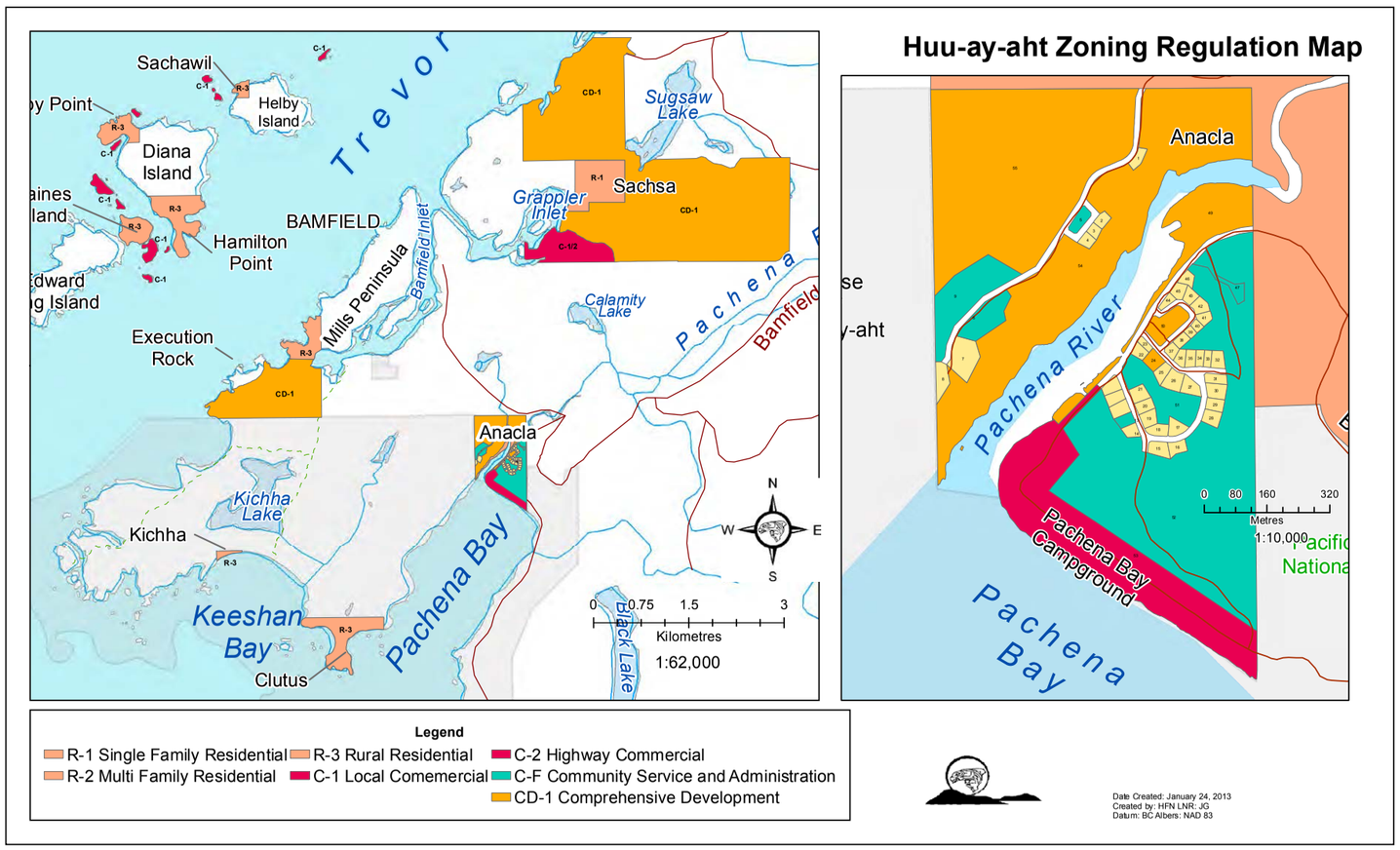
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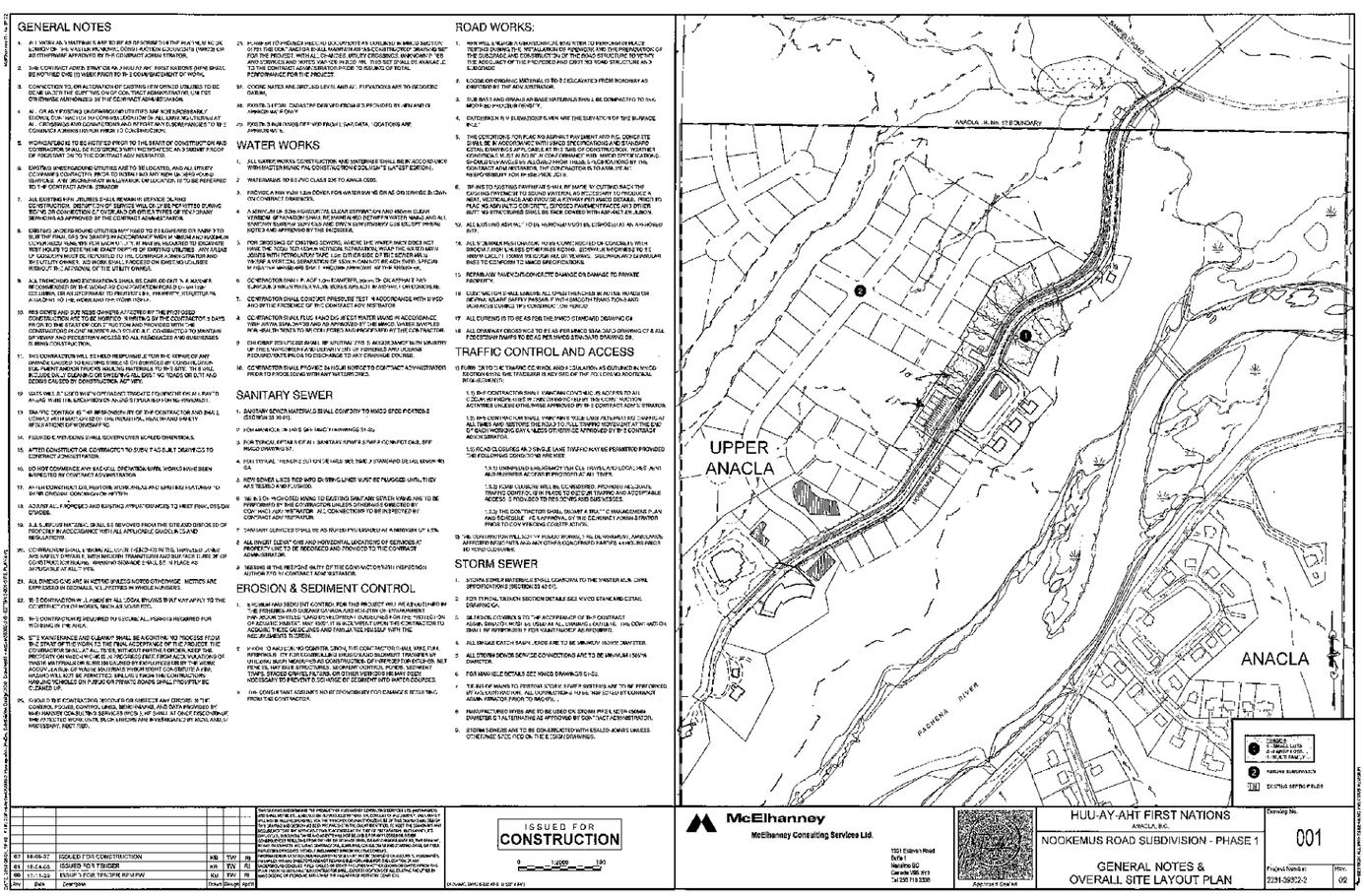
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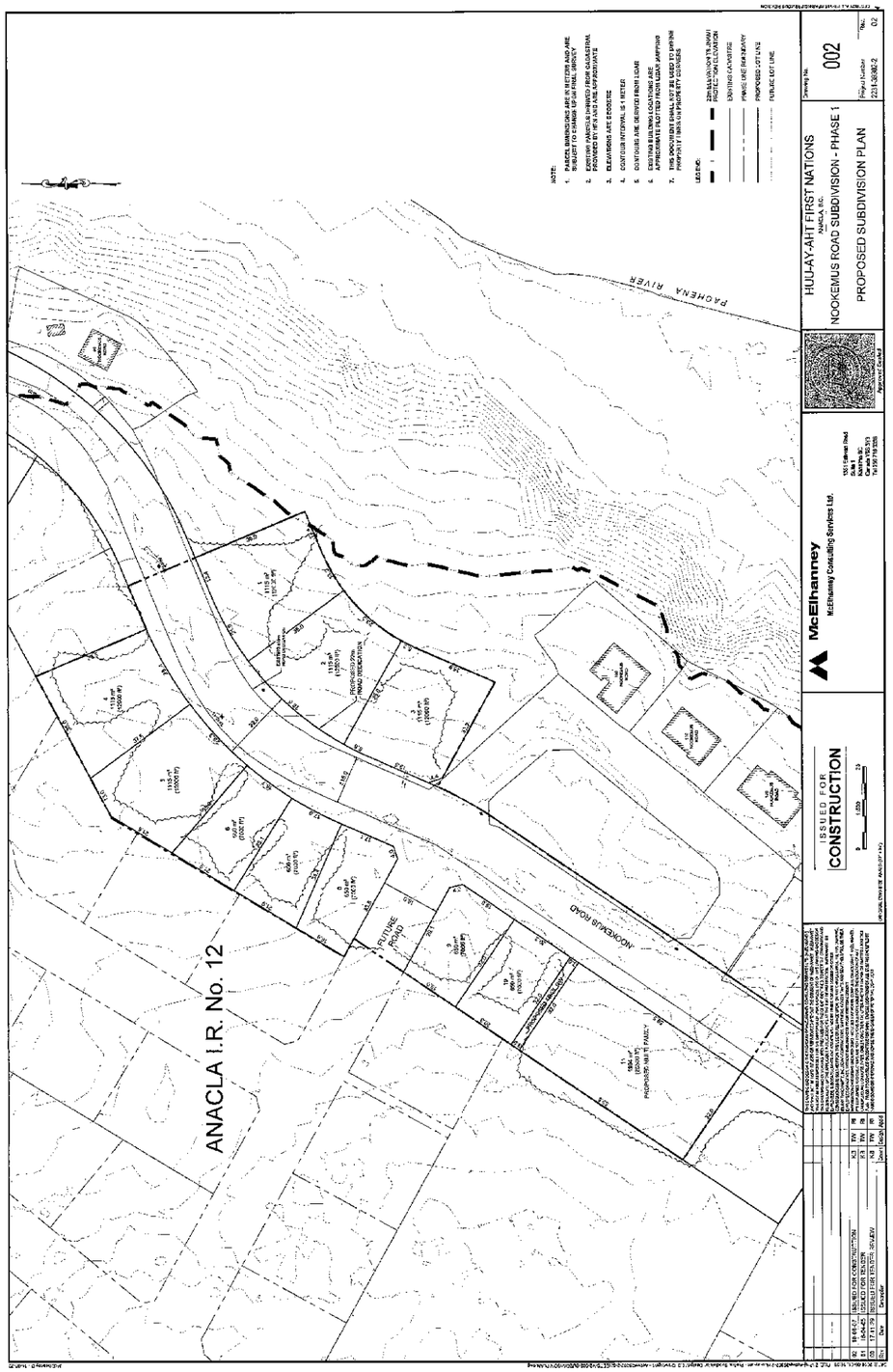
- Residential Zone
- Rural Residential Zone
- Commercial
- Resource Management
- Stewardship Zone
- Protected
- Huu-ay-aht Treaty Settlement Lands
- HFN Community Forest K3N
- First Nation Woodlands Licence N1A
- Pacific Rim National Park Reserve
- Huu-ay-aht First Nations Traditional Boundary
- Roads


Huu-ay-aht Land Use Plan
Overview & Kiixin Map
Execution Rock Cultural Heritage Site
Keeshan
Whittlestone Point
0 170 340 680
Metres
1:20,000
Pacific Rim National Park
Barkley Sound
Pacific Ocean
Juan De Fuca Straight
Somerset Range
Vancouver Is-land
0 3.5 7 14
Kilometres
1:300,000
N
W
E
S
British Columbia
Vancouver Island
Pacific Ocean
Legend
Residential Zone
Rural Residential Zone
Commercial
Resource Management
Stewardship Zone
Protected
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Created by: HFN Lands and Natural Resources Department: JG
Datum: BC Albers


Huu-ay-aht Development Permit Map
Russell Islands
Nuchaquis
Tzartus Island
Congreve Island
Mt Blenheim
Imperial Eagle Channel
Trevor Channel
Numukamis Bay
San Mateo Bay
Flemming Island
Dochsupple
Satellite Passage
Sachawil
Kirby Point
Diana Island
Haines Island
Edward King Island
Hamilton Point
BAMFIELD
Execution Rock
Anacla
Kichha
Keeshan Bay
Clutus
Pachena Bay
Malsit
Darling River
Sachsa
Pachena Point
Bamfield Port Albern Road
Rosseau Lake
Calamity Lake
Poett Heights
South Sarita River
Sarita River
Flora Lake
Date Created: January 24 ,2013
Created by: HFN Lands and Natural Resources Department: JG
Datum: BC Albers; NAD 83
0 1.5 3 6
Kilometres
1:125,000
N
W
E
S
Legend
Environmentally sensitive areas
Hazard Areas
Culturally sensitive areas
Commercial industrial multi family market residential
Huu-ay-aht Treaty Settlement Lands
Pacific Rim National Park Reserve


Huu-ay-aht Zoning Regulation Map
Sachawil
Helby Island
Diana Island
BAMFIELD
Hamilton Point
Mills Peninsula
Bamfield Inlet
Grappler Inlet
Sugsaw Lake
Sachsa
Calamity Lake
Execution Rock
Anacla
Kichha Lake
Kichha
Keeshan Bay
Pachena Bay
Clutus
Black Lake
Trevor
Pachena River
Pachena Bay Campground
0 0.75 1.5 3
Kilometres
1:62,000
0 80 160 320
Metres
1:10,000
Legend
R-1 Single Family Residential
R-2 Multi Family Residential
R-3 Rural Residential
C-1 Local Comemercial
C-2 Highway Commercial
C-F Community Service and Administration
CD-1 Comprehensive Development
Date Created: January 24, 2013
Created by: HFN LNR: JG
Datum: BC Albers: NAD 83


GENERAL NOTES
WATER WORKS
SANITARY SEWER
EROSION & SEDIMENT CONTROL
ROAD WORKS:
TRAFFIC CONTROL AND ACCESS
STORM SEWER
UPPER ANACLA
ANACLA
PACHENA RIVER
ISSUED FOR CONSTRUCTION
McElhanney
McElhanney Consulting Services Ltd.
HUU-AY-AHT FIRST NATIONS
ANACLA, B.C.
NOOKEMUS ROAD SUBDIVISION - PHASE 1
GENERAL NOTES & OVERALL SITE LAYOUT PLAN
001
2231-36932-2



Appendix J

Inventory of Housing, Infrastructure and Capacity Building Funding

Inventory of Housing Funding Sources - Introduction - [2 pages]

HUU-AY-AHT FIRST NATIONS HOUSING PROJECT
HOMES FOR OUR CITIZENS

APPENDIX TO THE INTERIM REPORT OF THE INDEPENDENT HOUSING PANEL
INVENTORY OF HOUSING/INFRASTRUCTURE/CAPACITY FUNDING SOURCES

INTRODUCTION

Huu-ay-aht First Nations (HFN) Executive Council approved the Terms of Reference for the Independent Housing Panel in January 2019. Among these Terms was the request that the Panel would identify and inventory of various housing (and related infrastructure/capacity) funding programs which are available to HFN.

The purpose of this Appendix is to provide the inventory along with recommendations on suitability to assist HFN in achieving its objectives which fulfils these aspects of its Terms of Reference.

BACKGROUND

Funding programs and opportunities are provided through various levels of government (and other agencies) which are accessible to HFN. Many of these funding programs are aimed at “On-Reserve” communities while others are not confined by this requirement. Additionally, these can be focused on new construction, renovation, or infrastructure related to both rental and ownership models. Understanding what these sources are, how they could support the initiatives of HFN and how they are accessed is critical to ensuring HFN does achieve its housing goals.

PROGRAM FUNDING INVENTORY

The attached Inventory of Program Funding of housing, infrastructure and capacity building programs provides information covering the following:

Funding type: *funds are geared towards housing, infrastructure or capacity building*
Funding jurisdiction: *federal, provincial, other*
Funder: *the agency, for example ISC, CMHC, BC Housing*
Activity: *what the funds/program supports, for example new construction, renovation, capacity building*
Program name: *the name of the program*
Program description: *high level description of the program*
Funding timeline: *date, years, timelines for application*
Eligibility/criteria: *high level eligibility and criteria which must be met*
Funding level: *amount of financial support to the activities*
Link: *website location for more information*
Notes: *other relevant, useful information to better understand applicability*

The inventory is colour coded to indicate the applicability to supporting the initiatives (and timelines) of HFN as it relates to housing, infrastructure which supports housing development, and capacity building in support of housing development and management.

FUNDING OPPORTUNITY REALITIES

Although there are countless different funding programs and supports, often the applicability in supporting HFN's objectives is a much smaller subset. Understanding how to leverage these funding programs and opportunities with the commitments of HFN is critical to success and many are very complex, time consuming and require more effort than the resulting benefits will provide. Its important and prudent to carefully analyze which programs are best suited to support the goals of HFN and to concentrate accordingly.

PANEL RECOMMENDATIONS

Identify and decide on which funding types (housing, infrastructure, capacity) to pursue which would support the objectives of HFN within the timelines identified.

Allocate an internal staff person or external consultant to develop a strategy to pursue the chosen funding type.

Review and approve the strategy, including the timelines, milestones, (go, no go decision points) reporting relationships and requirements and connections to the HFN activities (housing development, infrastructure projects, capacity building initiatives).

Avoid adding additional funding opportunities as they arise unless they clearly would provide better support of the objectives of HFN.

Attachments
- Inventory of Funding Programs

Inventory of Funding Programs - [2 pages]

Funding Type	Fed/Prov	Funder	Rental or Ownership	Activity	Program Name	Program Description	Funding Timeline	Eligibility/Criteria	Funding Level	Link	Notes
Housing	Federal	ISC	Rental	New Construction Renovation/Addition	Federal On-Reserve Housing Program	Building On-Reserve, SFD, MFD, Group, Assisted Living	2019-2100 or 2020-2021	Needs and housing priorities	TBC		Part of the New Approach for Housing Support in BC
Housing	Federal	ISC	Rental	Lot Servicing	Federal On-Reserve Housing Program	Non-CMHC Section 95 Homes only	2019-2100 or 2020-2021	Needs and housing priorities	$40K		Part of the New Approach for Housing Support in BC
Infrastructure	Federal	ISC	Both	Housing Governance	Federal On-Reserve Housing Program	Road to House, water, wastewater, power, other utilities and access roads	2019-2100 or 2020-2021	Typical community contribution up to 25% experienced in the past			Part of the New Approach for Housing Support in BC
Capacity	Federal	ISC	Both		Federal On-Reserve Housing Program	Planning and Policy development/Governance structures	2019-2100 or 2020-2021		$100K		Part of the New Approach for Housing Support in BC
Capacity	Federal	ISC	Both	Housing Management	Federal On-Reserve Housing Program	Training for housing managers and housing inspectors and staff i. Housing Training for Housing Managers ii. Housing Inventory and Systems (databases) included up to $15,000 for software	2019-2100 or 2020-2021		$50K		Part of the New Approach for Housing Support in BC
Capacity	Federal	ISC	Both	Housing Training for Construction and Repair	Federal On-Reserve Housing Program	Housing Training for Construction and Repair i. Licensing requirements for housing inspectors ii. Training for community housing inspectors iii. Mould and radon: certification, education, awareness iv. Development/implementation of mould prevention and control program v. Establishment of asset lifecycle maintenance plans vi. Documents and training to support compliance with building codes and energy efficiency standards	2019-2100 or 2020-2021		$30K		Part of the New Approach for Housing Support in BC
Capacity	Federal	ISC	Both	Community Planning	Federal On-Reserve Housing Program	Projects which support the identification of community housing infrastructure and capacity needs over the medium to long term: i. Integrated community/infrastructure planning ii. Needs assessment: inventory and assessment of current housing, housing stock, condition and needs iii. Land use planning, including lot servicing Development/Adaptation of fire and safety guidelines and building codes	2019-2100 or 2020-2021		$100K		Part of the New Approach for Housing Support in BC
Capacity	Federal	ISC	Both	Housing Finance	Federal On-Reserve Housing Program	Projects which support communities and individuals in accessing sustainable capital to meet their housing needs i. Blended sources of capital, debt and loan sources to meet the communities infrastructure needs ii. Financial literacy/skills development for tenants/residents/staff/leadership	2019-2100 or 2020-2021		$30K		Part of the New Approach for Housing Support in BC
Capacity	Federal	ISC	Both	Strategy, Policy	New Approach to Housing Support in BC	Stream 1 – funding to establish a housing strategy, including planning, policy development, and training / capacity building	2019-2100 or 2020-2021		TBC	ISC - Matrix	This program is not part of the federal First Nation On-Reserve housing program. Instead, it is not support many smaller First Nations in BC. It is delivered through the annual First Nations Infrastructure Investment Plan (FNIP) process.
Capacity	Federal	ISC	Both	Strategy, Policy	New Approach to Housing Support in BC	Stream 2 – funding for house construction and renovation	2019-2100 or 2020-2021		TBC	ISC - Matrix	This program is not part of the federal First Nation On-Reserve housing program. Instead, it is not support many smaller First Nations in BC. It is delivered through the annual First Nations Infrastructure Investment Plan (FNIP) process.
Capacity	Federal	ISC	Both	Strategy, Policy	New Approach to Housing Support in BC	Stream 3 – funding for lot development and subsidies for new housing	2019-2100 or 2020-2021		TBC	ISC - Matrix	This program is not part of the federal First Nation On-Reserve housing program. Instead, it is not support many smaller First Nations in BC. It is delivered through the annual First Nations Infrastructure Investment Plan (FNIP) process.

Housing	Provincial	BC Housing	Both	New Construction and operating subsidy	Building BC: Community Housing Fund		Facilitates development of mixed income, affordable rental housing projects for independent families and elders/seniors	Next call planned for Spring 2020	Affordability	TBC	Building BC: Community Housing Fund "CHF"		constructions and take out financing. 30% affordable (moderate income), 50% RGI (Housing income Limit), 20% deep subsidy	
Housing	Provincial	BC Housing	Both	New Construction and operating subsidy	Building BC: Indigenous Housing Fund		Indigenous families, seniors/elders, individuals and persons with disabilities	Next call yet to be confirmed	Affordability	TBC	Building BC: Indigenous Housing Fund "IHF"		Upto $150k per unit capital grant (forgivable loan), Construction and take out financing. Rent geared to Income (RGI)	
Housing	Provincial	BC Housing	Both	New Construction and eventual operating funds	Building BC: Supportive Housing Fund		Supportive Housing for people who are experiencing homelessness, or who are at risk of homelessness	Next call yet to be confirmed	Affordability/Need	TBC			Partnership with BC Housing. BC Housing to own buildings and land. "Current Mother Center" funding	
Housing	Provincial	BC Housing	Both	New Construction	Building BC: Women's Transition Housing Fund		Women's Transition Housing Fund program provides women and their children who are at risk of violence and/or who have experienced violence with access to safe, secure and confidential services	Next call yet to be confirmed	Affordability/Need	TBC			Fund closed - no indication of additional roll out at this time.	
Housing	Provincial	BC Housing	Both	New Construction	Community Partnership Initatives (CPI)		Construction and Take-Out Financing	Open	Based on DSCR	TBD			Preferential financing; 35 year amortization; upto 100%LTV; Subject to DSCR	
Housing	Federal	CMHC	Both	New Construction/Renovation/Capacity	National Housing Strategy - Indigenous Stream (under development)		"Reaching Home" - Indigenous homelessness in urban centres	Not yet determined	Must address "local priorities"				Waiting for detailed application process	
Housing	Federal	CMHC	Both	Renovations	Canada Community Housing Initiative		Supporting Indigenous Households currently living in "Community Housing"	Not yet determined	Not confirmed				Waiting for detailed application process	
Housing	Federal	CMHC	Rental	New Construction	National Housing Co-Investment Fund		Low-cost loans and/or financial contributions to develop mixed income, mixed tenur and mixed-use affordable housing	Monthly intake	Minimum of 5 units, primary use residential, minimum financial viability, affordability, energy efficiency and accessibility. Partnerships - central feature. 30% of units must be below 80% of Medial Market Rental rates for minimum of 20 years	TBD			10 year term with fixed rate renewable for additional 10 years. Up to 50 year amortization, up to 95% loan to cost. Interest only payments. Available to Indigenous Governments.	
Housing	Federal	CMHC	Rental	Reno/repair	National Housing Co-Investment Fund		Housing repair and renewal stream through loans and/or financial contributions	Monthly intake	Minimum of 5 units, primary use residential, minimum financial viability, affordability, energy efficiency and accessibility. Partnerships - central feature. 30% of units must be below 80% of Medial Market Rental rates for minimum of 20 years	TBD	CMHC - NHS Co-Investment Fund - Repair and Renewal		10 year term with fixed rate renewable for additional 10 years. Up to 40 year amortization, up to 95% loan to cost. Interest only payments. Available to Indigenous Governments	
Housing	Provincial	BC Housing	Both	New Construction	Housing Hub		Housing for middle-income earners through low-cost financing, no, or low0capital equity through community and private partnerships	Open	Average incomes of tenant between $50,000-$100,000 depending on community	$50K - $70K	BC Housing - HousingHub		Works well with partnership with profit developers. Best for middle income households, focused on area in high demand. May not be suitable for Anacla but could be leveraged with for profit developer	
Housing	Federal	CMHC	Both	New Construction	Seed Funding		Funding to support affordable housing through interest-free loans and non-repayable contributions. For the completion of pre-development activities.	Open	Primarily residential, minimum of 5 affordable units. Up to 40% of total approved funding to a maximu of $150,000 Project must exceed mandatory requirements, brings more partners and addresses the needs of vunerable populations. Must have a term of less than a minimum of 10 years, resource efficiencies in design, at least 10% of units are accessible, must demonstrate viability and sustainabity without long-term government subsidies.	$150K	CMHC - Seed Funding		Also available for "preservation activities" under a separate stream	
Housing	Federal	CMHC	Both	New Construction	Affordable Housing Innovation Fund		Repayable or forgivable loans/financial contributions to encourage new funding models and innovative building techniques	Open		$25K to $25K/unit	CMHC - Affordable Housing Innovation Fund			
Housing	Federal	CMHC	Rental	New Construction	Rental Construction Financing (Direct Insured Lending)	Up to 100 LTC	Low-cost loans to encourage construction of rental housing where the need is clearly demonstrated. 10 year fixed-rate loan, up to 50 year amortization period and loan insurance.	Open			CMHC - Rental Construction Financing			
Housing	Federal	CMHC	Rental or Homeowners hip	New Construction	Mortgage Loan Insurance	85% LTV	Provides access to preferred interest rates.	Open	Standard apartments, retirement housing, supportive, SRO and Student Housing. Must have 5+ years operating experience, or formal property management contract.		CMHC - Mortgage Loan Insurance			
Capacity	Federal	CMHC	Both	Housing Internships for Youth.	Housing Internship Initiative for First Nations	Various	Financial assistance to help First Nations organizations create housing related internships for youth.	Open	Support for administrative/office positions, maintenance, constructors, renovation and client counselling.		CMHC Jointly			
Housing	Federal	ISC	Both	Housing	Indigenous Homes Innovation Initiative	$350k and up to $2M	Funds to support ideas, and innovation in Indigenous housing.	8/1/2019 - First intake	Led by Indigenous peoples, on and off reserve in rural, urban or remote First Nation.		ISC - Indigenous Homes Innovation Initiative		Funding up to $350 to suport idea development and up to $2M for projects going to construction	
Housing	Provincial	BC Housing	Rental	Reno/repair	Building BC: Capital Renewal Fund (CRF)	as required	Capital projects that maintain or benefit a building's safety, or energy performance. Including seismic or fire-safety	Open	Building must be under an existing operating agreement with BC Housing		BC Housing - Capital Renewal Funding		Nation will be required to enter into a Operating Agreement on this housing stock.	

Appendix K

Inventory of Housing-Related Training & Mentoring Programs

Inventory of Training and Mentoring Programs - Introduction - [2 pages]

HUU-AY-AHT FIRST NATIONS HOUSING PROJECT
HOMES FOR OUR CITIZENS

APPENDIX TO THE INTERIM REPORT OF THE INDEPENDENT HOUSING PANEL
INVENTORY OF TRAINING AND MENTORING PROGRAMS

INTRODUCTION

Huu-ay-aht First Nations (HFN) Executive Council approved the Terms of Reference for the Independent Housing Panel in January 2019. Among these Terms was the request that the Panel would identify and inventory available housing management training and mentoring programs.

The purpose of this Appendix is to summarize the Panel's findings which fulfil these aspects of its Terms of Reference.

BACKGROUND

HFN through its initiatives to support its goals around affordable housing would like to build the capacity of its staff and Citizens surrounding housing operations, management and landlord tenant relations. Programs that teach various fundamentals around these areas are available and would increase the success for the Nation and provide valuable training and experience.

TRAINIGN AND MENTORING PROGRAMS

The attached Inventory of Training and Mentoring Programs provides information covering the following:

Course provider: *educational institution/organization*
Course name: *name of program or course*
Cost: *program cost*
Location: *physical location of the program offering or on-line option*
Duration: *length of program under typical learning conditions*
Certification: *which certification (if any) is achieved upon successful completion*
Link: *website location for more information*

Training and Mentoring programs aimed at social and affordable housing are focused on landlord and tenant activities.

To support the initiatives of HFN surrounding affordable and social housing the Nation would be looking to ensure that their staff tasked with representing the landlord interests on behalf of HFN are appropriately trained and experienced. Many property management programs and certifications are available.

HFN has been building its internal capacity to provide property management and asset management capacity through its current staff complement. Building this type of capacity is time consuming and does not address the immediate needs of the Nation's affordable housing property and asset management requirements which puts the Nation at considerable risk. Achieving sufficient capacity could be achieved through direct hiring of fully qualified and experienced personnel or through contracting out to an experienced property management firm or organization or it could be achieved through a combination of solutions including mentorship with experienced property and asset managers.

Tenant's roles, responsibilities, rights and obligations are often misunderstood, and this leads to unsuccessful tenancies. Providing opportunities to Citizens of HFN which are seeking affordable social housing will directly benefit both the tenants and HFN as landlord.

PANEL RECOMMENDATIONS

Assess current organizational housing and asset management capacity needs.

Inventory existing capacity to support the current and future needs (including timing of future needs).

Develop gaps analysis between current and future needs versus actual current capacity and quantify timing and cost to fill gaps.

Identify market and non-market (non-profit sector) property and asset management capacity to support needs directly (contracted services).

Identify opportunities to support needs through mentoring options.

Select and implement preferred solution.

Attachments

- **Inventory of Training and Mentoring Programs**

Appendix L

Independent Housing Panel Terms of Reference

Huu-ay-aht First Nations
Housing Project

Working Title – Homes for Our Citizens

Updated Terms of Reference – January 24, 2019

The Mandate of the Independent Housing Panel is to:

" Review Huu-ay-aht land use, housing, and related policies, legislation and programs and recommend practical changes to ensure that our home (Hahoulthee) will be a safe, healthy, appealing place with a strong economy where half our people choose to live.

Review Huu-ay-aht housing programs and related services and recommend practical changes to ensure that all Huu-ay-aht citizens have an equal opportunity to access quality, affordable housing within the Hahoulthee, while at the same time fostering citizen independence, self-sufficiency and self-reliance.

Detail the financial and non-financial resources required to implement the Panel's recommendations, including contributions by British Columbia and Canada.

Ensure all of the Panel's work and recommendations are guided by Huu-ay-aht's three sacred principles -

- *Hišuk ma c̓awak (everything is one),*
- *ʔuuʔaluk (taking care of future generations), and*
- *ʔiisaak (conducting ourselves honestly and respectfully).*

Set a goal of achieving the best housing outcomes in Canada when compared to other Indigenous and Non-Indigenous governments.

Prepare and present a report to the Executive Director and Executive Council at the end of each project phase.

Prepare and deliver a Final Panel Report for public release which will form the basis for Huu-ay-aht community and government engagement before Executive Council implementation decisions are made."

HFN Executive Council expects the Panel to:

- consult extensively with Huu-ay-aht citizens, applicable Huu-ay-aht committees, and other key individuals, organizations and governments,
- develop case studies and baseline data to illustrate (based on evidence) housing challenges, opportunities, and future needs of Huu-ay-aht citizens,
- consider land use and zoning legislation, building costs, green technology, wrap around housing support for citizens, independent housing authority models, mortgage financing options, market and social housing, building code requirements, cross subsidizing citizen housing with market housing, required community facilities, and creative strategies to reduce the life cycle cost of housing and increase the ability of citizens to cover those costs, etc.
- prepare recommendations to Executive Council on practical "made in Huu-ay-aht" changes to Huu-ay-aht policies, programs, services , facilities, and agreements with other levels of government,
- prepare recommendations for practical changes to housing and land use related legislation and regulations including:
    - Land Use Plan Regulation
    - Zoning Regulation
    - Residential Lease Regulation
    - Social Housing Regulation
- recommend an implementation plan and identify sufficient funding sources, and
- make other related recommendations as the Panel determines.

Panel Members

HFN Executive Council has approved the following members of the Panel:

1) Kim Baird
2) John Dumbrell
3) Kevin Albers
4) Rob Botterell

The Panel may bring forward a recommendation for an additional member of the Panel for Executive Council consideration.

The Panel expects to retain Huu-ay-aht and non-Huu-ay-aht staff assistance as determined necessary by the Panel to carry out its mandate.

2019 Project Timetable:

Phase 1

January 2019 – Commence Information Gathering and Research

February 9/10 – Introduce Panel to People's Assembly

February 28 – Provide EC with interim policy and budget Recommendations

Phase 2

March – April 2019 – Citizen Engagement, Research and Analysis

April 30 – Delivery of Draft Report to Executive Council

Phase 3

August-September 2019 – Citizen Engagement and Input on Draft Report

September 30 – Final Report provided to Executive Council

October 31 – Executive Council Implementation Decisions

Fall Peoples' Assembly – Any related legislative changes.

Reporting:

The Panel will provide a report at the end of Phases 1-3 to the Executive Director in order to keep the Executive Council and the Huu-ay-aht government and administration up to date on the Panel's current and planned activities, and expected timelines for completion of activities.

Rob Botterell, Project Legal Counsel, and if requested by the Executive Director other panel members, will attend at Executive Council or other meetings to discuss these updates.

The Panel will aim to provide its final report and recommendations to HFN Executive Council by September 30, 2019. However, if the Panel determines that it requires more time to produce a thorough, fully informed and considered report and recommendations, it will promptly advise the Executive Director and Executive Council of this, and provide an estimated time of delivery.

January 24, 2019



Appendix M

Independent Housing Panel Member Profiles

JOHN DUMBRELL
PRINCIPAL, URBAN SYSTEMS

John is a community planner, senior consultant and principal with Urban Systems. During his 30 years with the firm John has developed expertise in land use planning, infrastructure delivery and financing, and public engagement / facilitation. Most of John's work has been in British Columbia. Clients with whom John has worked include local governments, First Nations, private developers, and Provincial agencies.

With respect to land use planning, John has prepared a full suite of visionary, policy and regulatory documents for many local governments, as well First Nations who have chosen to move forward with land use management regimes. This work has included community visions and strategic plans, broad land use policy (such as Official Community Plans), specific land use regulation (such as zoning and development permits), and infrastructure regulation and financing tools (such as subdivision and development servicing regulations, development cost charges, and user fees).

John has recently worked with a number of First Nations who are developing their land bases for community member and/or economic development purposes. These include the Williams Lake Indian Band, Tk'emlups te Secwepemc (Kamloops), Kwikwetlem First Nation, and Whitecap Dakota First Nation (Saskatoon). In addition, John is working with the First Nations Tax Commission and the TULO Centre for Indigenous Economics to support Nations who have chosen to institute various property taxation mechanisms with land use / infrastructure / financial planning.

KEVIN A. ALBERS, CPA
CEO, M'AKOLA HOUSING SOCIETY

Kevin is a key player in the future of affordable housing and is well-known for leading with innovative ideas and creative solutions while navigating the expiration of operating agreements.

Kevin is the CEO of the M'akola Group, the largest Aboriginal affordable housing provider and developer in BC. Kevin has worked with many First Nations to create on and off reserve homes. Kevin has been a catalyst in getting many new housing projects off the ground and he's paved the way for many housing providers through creative partnerships.

Kevin oversees the operation of over 1,600 units of Aboriginal affordable housing in various locations across BC, including: Greater Victoria, Cowichan/ Duncan, Nanaimo, Port Alberni, Courtenay, Campbell River, Terrace, Prince Rupert, Sunshine Coast, Northwest BC, Far North BC, and North Central BC.

KIM BAIRD
PRINCIPAL, KIM BAIRD STRATEGIES

Kim was the elected Chief of the Tsawwassen First Nation (TFN) for six terms, from 1999-2012. She had the honour of negotiating and implementing British Columbia's first urban treaty on April 3, 2009 and oversaw numerous economic and institutional development projects for TFN. Kim has a deep knowledge about consultation and engagement management for First Nation communities in relation to governance development, economic development and major project impacts to First Nation communities. Currently some of Kim's clients include industry, government and First Nations.

She served on BC Hydro's Board of Directors for 6 years. She is on several boards including the Canada Public Policy Forum, Clear Seas, and the Smithsonian National Museum of the American Indian, and holds an Institute of Corporate Director's designation. Kim has been appointed to the British Columbia Premier's Aboriginal Business Investment Council. Kim has received a number of prestigious awards recognizing her contributions to her community and beyond, including an Indspire Award, being appointed to the Order of Canada, an honourary doctorate degree from Simon Fraser University, Kwantlen Polytechnic University Distinguished Alumni Award, Canada's Top 40 Under 40 Award, the National Aboriginal Women in Leadership Distinction Award, Vancouver Magazine's Power 50 Award, and Canada's Most Powerful Women Top 100 Award.

Kim is a proud mother of three young girls and her ancestral name is Kwuntiltunaat.

AN MINH VU, MA
HUU-AY-AHT INDEPENDENT HOUSING PANEL
PROJECT MANAGER

An is honoured for the opportunity to work with Huu-ay-aht once again on this Housing Project.

An's experience is in Community and Indigenous Engagement. She brings with her many years of working extensively with First Nations communities in Northern British Columbia, the South Coast and Vancouver Island on major projects supporting Indigenous groups, local communities and stakeholders to identify social and economic development opportunities.

An is passionate about working collaboratively with communities to find ways to build meaningful and respectful relationships. She is engaging and thoughtful—taking time to listen and learn from community members.

An holds a Masters Degree in Urban Planning from the University of British Columbia and a Bachelors Degree in Geography from Simon Fraser University.

In her spare time, she volunteers with organizations supporting women in Vancouver's Downtown Eastside and with the Alzheimer's Society facilitating support groups for families impacted by dementia and Alzheimer's.

NAACAŁUK, ROB BOTTERELL, PANEL CHAIR
LEGAL COUNSEL, HUU-AY-AHT FIRST NATIONS

Rob is an expert on major project negotiations, law drafting, Indigenous law, resource law and advocating on behalf of clients. He is a negotiator and strategist with two decades of experience working in government, for municipalities and Indigenous communities. Rob's expertise spans issues relating to economic development, government legislation, treaty negotiations, post-treaty legislation, social services, housing, and industry projects including fisheries, LNG, forestry, energy and mining.

Rob led the team that developed the Freedom of Information and Protection of Privacy legislation and advised on government legislation most notably the Personal Property Security Act. He negotiated the key provisions of the Maa-nulth Treaty for Huu-ay-aht, has represented the Huu-ay-aht, the Cowichan as well as the Wet'suwet'en Nations on key issues. Rob has drafted over 500 pages of laws, and has negotiated with all levels of government and industry on major projects.

Rob has an LL.B. from UVic and MBA from UBC, and is a Fellow of Institute of Canadian Bankers after having been the TD Bank Regional Comptroller in the 1980's. Rob is a member of the Law Society of British Columbia and the Canadian Bar Association, and has practiced law in British Columbia for 20 years.

huu ay aht

ANCIENT SPIRIT, MODERN MIND

