

Housing Update – February 1, 2018

The Housing Committee would like to thank everyone for all of the feedback we have received to date on the Draft Housing Policy. We have already posted revisions from our January 18th 2018 Housing Committee meeting with regards to the application form. We hope this clarifies the requirements of the Lot Application, Appendix D of the policy.

At this time, we would like to address some additional questions that we have received from our members. We have put together a Q & A to address all questions to date.

Question: *What information will be provided on each of the lots?*

Answer: A map of the surveyed lots will be posted to the website. A large full size map will also be hung in the band office and available at the upcoming housing fair. We hope to identify each lot with a numbered sign post sometime within the next few months, weather permitting.

Question: *It was suggested that there might be a better way to do the lottery. As it is now, the process only works if you get your first choice. It may be confusing when it comes to your second or third choice. What if your second and third choices have already been drawn at the time of your first choice lottery? You will have missed out on the opportunity to have your name included in your second & third choices. This process as written is too complicated.*

Answer: The Housing Committee created the lottery process based on the results of a survey that went out to the membership. However, upon further discussion it was decided that we would take another look at the proposed lottery process. We need to simplify it. When the changes are made, the updated revisions will be posted to the website.

Question: *If the design of the build changes throughout the process, will this be an issue? Are members tied to their original housing plan?*

Answer: As long as the home meets all the requirements of the building code it should not be a problem if the plan changes from the original design.

Question: *Why does the First Nation have “Right of First Refusal”?*

Answer: The Right of First Refusal was added to protect the membership from potentially having only a few individuals purchasing a large number of lots on the reserve, thereby limiting the number of residential lots available to other members. When a homeowner decides to sell/transfer their residential lot, they must notify the Housing Committee in writing of their intent. The Housing Committee will review their request and determine if the buyer already has substantial property on reserve. The Housing Committee will then make recommendations to Chief and Council. By giving the FN the option to purchase the residential lot on the same terms and conditions as offered to another Band Member, the seller will still receive full and equal payment for the lot while at the same time allowing the FN to safeguard against problems that other FN's experience. For example: One or two individuals buying up CP's and effectively controlling a large portion of the reserve lands.

Question: *Can a home owner rent to someone who is not affiliated with the FN, or to a temporary visitor, or a tourist, in order to earn income?*

Answer: The policy allows for the home owner to rent his/her home to another band member or community member who has a right to reside on the LDMLFN. As well, the residential lots are not meant for small business endeavors and renting to tourists by the week would be considered a small business.

Question: *Should the FN have the right, through the provisions of the Powers of Attorney Act, to revoke a Certificate of Occupation or Certificate of Possession in the event of abandonment or indefinite vacancy?*

Answer: This provision was added to prevent unfinished, abandoned construction; homes that have become condemned; or homes damaged by fire or some other disaster, where the home owner was uninsured and abandoned their property; from becoming a health and safety hazard to the rest of the community. This provision would give the FN the ability to revoke the CO or CP and allow the property to revert back to the FN for redistribution into the lottery. The decision to revoke a CO or CP will not be decided upon lightly; there are a number of measures laid out in the policy to protect the home owner that the FN will be bound by.

Question: *If only status members can be issued a Certificate of Occupation or a Certificate of Possession, what happens to the CO and CP in the event of their death?*

Answer: AANDC will only issue the CO or CP to a registered band member of the First Nation. For the time being, the home owner would need to will their CO or CP to another status Band Member in order to safeguard their investment. The First Nation is currently governed by the Matrimonial Real Property Rights which give limited rights to non-status community members. However, the FN understands that there are many members in a similar situation. As such, Chief & Council intend to work with the community to move forward in establishing a Custom Membership Code. This Code would take into account and make provision for the direct descendants of all band members. For example: Status members would then be able to will their CO or CP to their direct descendants, regardless if they have status or not. Indian Affairs would then have to issue the CO or CP to the identified descendant. Work on this Membership Code is expected to commence later this summer.

Question: *Can camper trailers be parked on the property and used as a guest house?*

Answer: Yes, they can be parked at your property during and after construction of a permanent dwelling and used for personal use, as long as the home owner abides by all applicable by-laws.

Question: *Is there still going to be a tent and RV site on the land base?*

Answer: Yes, the tent and RV site is still a part of the Community Plan. However, there is no set timeline as to when this will take place as we are currently focusing on the first phase of residential lots. Our capital plan which was approved by the membership makes provision for this site. More information will be forthcoming on this project as we have a number of requests regarding this.

Question: *Will all potential home owners be bound by the regulations of the Housing Policy and the By-Laws?*

Answer: Yes, all home owners will be bound by the same regulations of the Housing Policy and the By-Laws.

Question: *I understand that individual members will be responsible for the building costs of their home. Will the FN be providing any financial support and in what way?*

Answer: Yes, the First Nation will be providing financial support to ensure that our member's homes and the community at large will have access to safe drinking water and a proper means for containment of waste and waste water. The allocated lots will be supplied with either a well system or pump house for water delivery, as well as septic fields for proper sanitary waste containment. The First Nation has also installed culverts to the entrances of the lots and to the community road system which connects this first phase of residential development. The First Nation will also be responsible for road maintenance.

Question: *I am interested to know what energy options will be available to potential homeowners on reserve.*

Answer: The First Nation has been diligently working on a large and exciting project that will bring hydro to the reserve via a marine cable. We have had extensive discussions with AANDC, Hydro One and the appropriate ministries, and are moving ahead as planned. This will be very beneficial to our members. We have also been working concurrently with Bell Canada on another project that will bring fibre optics into the Community. Proper communication is essential for the overall safety, well-being and growth of the community.

Question: *Have the policy and by-laws been legally reviewed?*

Answer: Yes, they have been legally reviewed by a lawyer knowledgeable in the field of FN housing. The Housing Committee chose Buset & Partners LLP based on the recommendation of Roxanne Harper (Turtle Island Associates), CMHC, and Bimose Tribal Council. It was important that we dealt with a firm who was familiar with First Nation Housing. It has also been reviewed by Roxanne Harper & Associates. We are told that this is one of the best Housing Policies that they have seen or reviewed. They are excited for our First Nation and the direction we are going in. We are told that this policy will assist in avoiding pitfalls experienced in other communities that do not have effective, well thought-out Housing Policies and By-Laws.

Question: *Can we forward suggestions to the Housing Committee regarding possible information booths or guest speakers that we would like to see at the Housing Fair which is scheduled for March 24th 2018?*

Answer: Yes! The Housing Fair is intended to provide good, useful information to potential homeowners. Please let us know what may be of interest to you, and we will try to arrange for presenter(s) on that particular area of interest or service, no later than March 10th.

Question: *The lottery and the FN's Leadership election are both scheduled for June 2018. Do you anticipate any delays or does one affect the other?*

Answer: The timing of the lottery is based entirely on the timeline of the Housing Committee, and has nothing to do with the upcoming Leadership election. Here is a brief synopsis of the significant goals met in the creation of the Housing Policy.

June 2016	Community meeting and housing surveys are distributed. Excellent discussion and input from the community members followed. Community feedback is incorporated into the policy.
Sept 2016	Initial Draft Housing Policy completed by Housing Committee.
Oct 2016	Policy forwarded to Roxanne Harper of Turtle Island Associates for their professional review. However, due to her other commitments the policy sits idle.
Jan 2017	Recommendations received from Roxanne Harper group.
Feb 2017	Meet with Chief and Council and Roxanne Harper presents her recommendations.
Mar 2017	Recommendations were incorporated into the policy.
Apr 2017	Policy is forwarded for extensive legal scrutiny and review.
June 2017	Housing Committee meets with lawyer and discusses recommendations.
July 2017	Housing Policy sits idle with legal firm due to other commitments and lawyer not able to look at until mid Sept.
Oct 2017	Housing Committee receives revisions.
Nov 2017	Housing Committee meets with the lawyer.
Dec 2017	Final legal revisions are completed by the lawyer and forwarded to Housing Committee and subsequently to Chief & Council.
Jan 2018	Draft Housing Policy is posted to the First Nation's webpage and a community meeting is held where members have the opportunity to discuss the policy with the Housing Committee and Roxanne Harper. Community review on draft policy commences on January 4 th – February 16 th .
Feb 2018	Feedback from the membership continues and the Housing Committee makes and incorporates changes to the policy based on our member's discussions and input.
Mar 2018	Final Housing Policy will be posted to the website.
Mar 2018	Application process commences and continues through to the beginning of May.
May 2018	Housing Committee will review all applications.
June 2018	The Lot lottery will take place.

This has been a lengthy and time-consuming process and our members are eager to start clearing the land and start building. We are continuing to move forward with the timelines established. We do not expect the Leadership election to delay or interfere with the process in any way.

Reminder: *The review period is open for another two weeks. We look forward to hearing back from you with your thoughts and suggestions. Our discussions have been good, positive ones! It is exciting to see the interest of our members and families as we make plans and provisions for a safe and healthy community!*

Question: *What if I have questions or concerns about the policy after the Feb 16th deadline for membership review? Will it be too late for the Housing Committee to address these concerns?*

Answer: No, it will not be too late. The Housing Policy is a living document and will change and evolve as the community evolves. We opened the review period to the membership to address any issues with the policy at this point in its development. If a year from now we realize that something isn't working in the policy, the Housing Committee can amend it. When we created the policy we included a Policy Amendment List at the front of the document. It is intended to record any amendments that occur after the policy has been adopted.

Question: *Are we going to do another callout to band/community members who have trades, skills, services, or equipment for hire?*

Answer: Yes, we want to provide opportunity for band and community members to make available any trades, skills, services or equipment they may have for hire during this time of rebuilding. A call out will go out in our next newsletter for individuals to forward their credentials to the Housing Committee. From this, a skills inventory list will then be made available to the membership to provide potential homeowners with options. It will be the individual homeowner's decision if they chose to utilize or hire from the skills inventory list.

Once again, thank you for your feedback and input.

Sincerely, Your Housing Committee

Jackie Peters, Councillor Tracy Morrison, Councillor Carmel Zoccole, Rikka Berkan, Mark Sawdo and Tom Lebel