

# Our Homes, Our Responsibility

## Lake Babine Housing Policy Explained

A new LBN housing policy built on our values guides tenants, staff and leadership



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# Introducing a Lake Babine Nation Housing Policy



## Introduction

*Creating our “rules to live by” for community housing is a collaborative process that requires input and cooperation from members, staff and leadership.*

## Why a Lake Babine Housing Policy?

Access to safe, healthy and affordable housing is important to the Lake Babine Nation (LBN). Currently there is no written policy to guide LBN's rental housing program and explain the roles and responsibilities of Chief and Council, the Housing Department, and Tenants. This has resulted in confusion and unnecessary conflict between the LBN administration and members.

A Housing Policy will give LBN members and band staff a clear picture of their rights and responsibilities. A Housing Policy is also essential to make LBN's rental housing program financially sustainable and to attract significant new funding from government, so that LBN can finally afford to make the major repairs that most Rental Homes need.

## How was this LBN Housing Policy developed?

The LBN Housing Committee including Housing Department Staff and members from Fort Babine, Tachet, and Woyenne has been working for two years to create this draft Housing Policy. Legal counsel for LBN provided legal advice as needed and drafted it under the Committee's direction. Chief and Council have reviewed the policy and want members to see it and provide any feedback.

# Our Values and Roles

## A Policy founded on LBN values and principles.

Here are the values and principles driving the Housing Policy:

- Consistency
- Fairness
- Affordability
- Transparency
- Accountability
- Responsibility
- Commitment
- Financial sustainability
- Supportive
- Respect (wagoos)
- Health and safety

## Defining our Roles

We all have a strong desire for housing that is safe, well cared for, and available for members who want to live in our communities. To reach that goal we each hold unique and important roles.

## Conflict of Interest is real and must be managed.

In a community of our size with many relations and interconnections we must define and manage conflict of interest. Conflicts of interest exist when someone making a decision has a personal interest in the matter that may influence their decision. The Housing Policy ensures decision-makers must declare conflict and step away from decisions that could benefit their family.



### Tenants

Fulfill their responsibilities under the Housing Policy and provide feedback on it.



### Housing Committee

Be the voice of members in developing this Policy and amending it down the road and help the Housing Department administer the Policy as needed. Help address conflict and resolve issues related to the policy.



### Housing Department

Administer the Housing Policy. This includes working with Tenants, ensuring Tenants understand and are meeting their obligations under the Policy, and fulfilling LBN's obligations under the Policy.



### Chief & Council

Approve the Housing Policy once it is ready and amend it as needed over time. Set the housing budget. Chief and Council do not administer the Housing Policy and do not make decisions about specific Rental Homes or Tenants.

# Section 01



## 02

“

*The Introduction of the LBN Housing Policy include the new categories of Tenant, Occupant and Guest.*

The Housing Department needs to know who the permanent members of the household are to ensure that homes are not overcrowded, ensure that everyone who should be contributing to Rent is doing so, and improve community safety by helping us remove people who do not have a right to live here and who are making our communities unsafe.

**Fair and  
Transparent  
Processes**

# Eligibility and

## Who can rent an LBN Home?

You are eligible to apply for housing if

- You are an LBN member
- At least 19 years old
- With no Arrears or outstanding debt owing to LBN
- No outstanding debts with any utility companies;
- Can pay Rent (LBN will cover shortfall between shelter allowance and rent for Tenants who receive Income Assistance)
- Willing to maintain and upkeep the Rental Home (except where person has physical limitations that make them unable to do so);
- Have not been evicted from any Rental Home within the last 7 years;
- Are not convicted of any indictable sex-related, drug-related, or violent offence after this Rental Housing Policy comes into force (this eligibility rule also applies to Occupants).
- Provide a positive reference from a landlord or, if the applicant has never been a tenant before, a positive character reference from someone who is not Immediate Family.

*Eligibility requirements for LBN housing were built to balance the rights of LBN members and the responsibilities of community safety.*

# Applying for Housing

## Who can Live in LBN Rental Homes?



### Tenants

Person(s) whose name is on the rental agreement, and who are responsible for the house and its maintenance and paying rent.



### Occupants

Other adults or children who live full-time with the Tenant(s) in the home and who are listed in the Tenancy Agreement.



### Guests

Anyone who is not a Tenant or Occupant is a guest. Guests may stay in the Home up to 30 days in a row, and up to a maximum of 60 days per year.

## Why are we creating these categories?

The Housing Department needs to know who the permanent members of the household are to ensure that homes are not overcrowded, ensure that everyone who should be contributing to Rent is doing so, and improve community safety by helping us remove people who do not have a right to live here and who are making our communities unsafe.

## What is the application process?

Eligible members fill out the Application Form and submit to the Housing Department. The Housing Department reviews. Complete and eligible applications go on the housing waitlist. If an application is incomplete the Housing Department will offer the member the chance to re-submit. If an application is ineligible the housing department will tell the member why.

## How are Tenants selected?

When a unit becomes available for rent applicants with a family size that fits with the unit size will be considered. A review guide will be used decide who should get priority. Decisions will take into account things like whether an Applicant is homeless or in a bad housing situation, needs a home to keep or get their children back from social services, has a positive tenant reference or character reference, and how long the Applicant has been on the waitlist. The review guide is included at the back of the Housing Policy. Using transparent and objective criteria to decide which applicant gets priority will make the process fair.



Lake Babine Nation only charges the rent needed to cover the costs of the housing program.



03



# Paying Rent

## Rent is the main income that allows LBN to fund renovations and maintenance

*To make sure our Housing Program is fair as between Tenants and to fund all the necessary repairs and renovations that Rental Homes need, all Tenants must pay rent.*

### How do we set rental rates?

LBN housing is social housing and LBN only charges the rent needed to cover the costs of LBN's rental housing program. These costs include things like repaying loans for the construction of LBN Rental Homes, housing maintenance costs, building insurance (in case the building is damaged or destroyed), and administrative costs. Rent is based on unit size. Rents will only increase as needed to recover housing program costs, at most once per year, and Tenants will receive at least 3 months advance notice of increases.

### Is rent lower for people receiving Income Assistance?

No, rent will no longer change based on whether Tenants are working or receiving Income Assistance. It will just be based on the size of the unit. All Renters receiving Income Assistance will contribute their Shelter Allowance to cover utilities and rent. If the Shelter

Allowance is not enough to cover rent, LBN will cover the difference. Another change is that all Occupants in the home who are receiving Income Assistance will help pay the rent by contributing their Shelter Allowance towards rent. If there any working Tenants in the household, they will then owe the remainder of the rent.

### Rental Arrears

To make sure our Housing Program is fair as between Tenants and to fund all the necessary repairs and renovations that Rental Homes need, all Tenants must pay rent. Tenants who cannot make rent on time must contact the Housing Department as soon as possible to work out a payment schedule. Tenants who don't pay rent and who don't work out a payment schedule will receive 3 notices ending in eviction. Rental extensions may be granted for exceptional hardship like medical emergency or domestic violence situations, but the Housing Department must receive these extension applications before the deadline for eviction.

## 04



*If a Tenant, Occupant or guest causes breaking windows or spray-painting w  
Tenant to fix it. LBN is responsible for r  
repairs, electrical work, and safety inte  
installation.*

# Maintenance and Renovations

## Sharing responsibility to care for housing

LBN and the Tenant(s) share responsibilities for home maintenance. Currently the needs for repairs and maintenance are far greater than the budget. A big part of this is due to unpaid rent. Once LBN can collect more rent, more repairs will be possible.

Tenants are responsible for keeping their homes and yards clean and clutter free. This includes tasks like grass cutting, snow shoveling, junk removal, window washing, unplugging toilets and replacing lightbulbs.

If a Tenant, Occupant or guest causes damage like holes in the Gyproc, breaking windows or spray-painting walls then it is the responsibility of the Tenant to fix it. If someone else damages the home, LBN will cover the cost of repairs as long as the Tenant files a police report about the incident.

LBN is responsible for major repairs like roofing, plumbing repairs, electrical work, and safety interventions such as smoke detector installation.

### How do I request repairs?

Tenants will make all requests for repairs to the Housing Department who will review and approve repair requests subject to need, urgency and available funding. Requests for Emergency repairs can be made by calling 250-692-9736 or 250-692-0551.

### How do I request renovations?

Tenants wanting renovations can call or write to the Housing Department. Because of poor quality and unsafe renovations in the past by Tenants, the Housing Department must approve all renovations and approve of who does the work.

Right now, because of high demand and low payment of rent, the Housing Department is prioritizing renovations based on health reports, adaptations required for disabilities, and unit condition.

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# Home Ownership & Subletting

## **NEW: Home ownership through Rent-to-Own Agreements!**

LBN is considering home ownership through a new "Rent-to-Own" Agreements. This would be a special Tenancy Agreement that would provide the Tenant with the opportunity to eventually own their rental unit. One benefit of a Rent-to-Own Agreement would be the ability to keep the home in the family when someone passes away. Many details still need to be worked out, and the Tenant would not become an owner until they have met all the conditions for ownership and the purchase has been completed in writing.

Please let the Housing Department know if you like the idea of Rent-to-Own Tenancy Agreements.

## **Subletting**

Tenants may not rent out rooms in their Rental Homes or sublet their Rental Home. Tenants who need to leave for a long time for something important like medical treatment or school and want to keep their home can ask the Housing Department to Rent it out for them.

## What happens if you lose a loved one

When a Tenant passes away, three



# 05



# ens when we one?

different scenarios might occur.



1

## Co-Tenant takes over

The co-Tenant named on the Tenancy Agreement may take over the home and continue paying rent.

2

## Rent-to-Own Scenario

If the Tenant is under a Rent-to-Own Agreement, the Home can pass down to the person the Tenant designated in their will, as long as this person is eligible to be an LBN tenant (see the criteria sec.2). That person can then take over the Rent-to-Own Agreement and when all requirements are met, they will be able to take ownership of the Rental Home.

3

## Home comes back to LBN

If there is no co-Tenant and no Rent-to-Own Agreement, then the home comes back to LBN, subject to these temporary situations:

- Member or non-Member Surviving Spouse may stay in home for 180 days;
- Member or non-Member Surviving Spouse who has custody of a Member Child may stay in Rental Home to raise Child if they can afford the rent;
- Family of deceased can pay rent in order to keep the belongings of the deceased Tenant in the Home for up to 180 days.





# 06

## Breaches and Evictions

**Unless the breach of policy is severe, tenants will be offered the chance to fix the situation**

To protect the health and safety of the community the new Housing Policy includes the reasons and processes for eviction. Unless it is a very serious breach Tenants will be offered a chance to fix the situation. Tenants will receive what is called a "Notice of Breach" for things like excessive garbage and unsanitary conditions, intentional damage to the home, repeatedly disturbing neighbours, breaking the guest or sublet policy. In these situations, Tenants must respond promptly to the Notice of Breach and work with the Housing Department to fix the breach.

In these more serious situations evictions will be immediate:

- causing or allowing illegal activities to take place at the Rental Home;
- being convicted of an indictable sex-related, drug-related or violent offence after this Rental Housing Policy comes into force;
- Refusing to sign a Tenancy Agreement; or
- abandoning the Rental Home

The Housing Department will Deliver to Tenant an End of Tenancy Notice, which will state the grounds for eviction.

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