

VUNTUT GWITCHIN GOVERNMENT

Government of Vuntut Gwitchin First Nation

GOVERNMENT SERVICES



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Policy identifier (Number or place in structure of the Policy book)

Policy title: Vuntut Gwitchin First Nation Housing Policy – 2024

Department: Government Services

Approval Date: January 4, 2024

Effective Date: January 4, 2024

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1. Introduction

- 1.1. Housing plays a vital role in the healthy well-being of our community.
- 1.2. Housing units are made available in many forms – for example, individual houses, duplexes, a multi-plex, and the Home of the Wise Ones – designed for the northern environment, built to appropriate standards and building codes, and located to suit the lifestyle of Citizens and the growth pattern of the community.
- 1.3. The business of building, maintaining, and renovating houses and other rental housing units contributes to the economic growth of VGFN and Old Crow. Rent and other payment arrangements made by Citizens are part of the housing revenue stream and are important to support the long-term sustainability of the VGG housing program.
- 1.4. As with the ever-changing lifestyle of the Citizens of Old Crow, this policy will also change to respond to shifts in community and individual needs.

2. Scope and Purpose

- 2.1. The scope of the Housing Policy is focussed on ensuring the sound delivery of appropriate housing programs and services to Citizens, including the administration of a housing department, the fair allocation of units to eligible Citizens, and the maintenance, and renovation of VGG-owned units.
- 2.2. The purpose of the Housing Policy is to:
 - a) establish guiding principles
 - b) define roles and responsibilities
 - c) describe the various housing programs and services offered by VGG
 - d) set out the eligibility for the housing programs
 - e) describe the tenancy agreement process and related procedures
- 2.3. This policy includes a home ownership element, to provide an option for Citizens who wish to own or build their own home instead of renting, and in part to address aging units.
- 2.4. This policy includes an Elders' Housing Program to describe the housing-related services available to Elders; and a VGG Employee Housing Program to describe the housing-related services available to VGG employees.

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2.5. This policy is not intended to address broader matters such as community growth patterns, or the long-term supply of housing for the community, nor is it intended to address matters of social housing or supported living.

3. Principles

3.1. General

3.1.1. The Vuntut Gwitchin First Nation considers housing to be a basic human right and believes that every Citizen residing within the boundaries of Old Crow has the right to adequate, safe, healthy, affordable housing suitable to their needs.

3.1.2. The housing needs of Citizens shall be met to the best of the Vuntut Gwitchin Government's ability in a fair and equitable manner, and Citizens shall be treated fairly in all housing matters, without discrimination, family influence or political decision making.

3.1.3. VGFN housing programs and services will be administered in accordance with the Yukon's *Residential Landlord and Tenant Act (RLTA)*.

3.1.4. VGFN is committed to a fair and transparent process of allocating and maintaining rental housing units and to working with Citizens to resolve issues and concerns quickly, fairly and appropriately.

3.1.5. Citizens are expected to play a role in the care and maintenance of their rental housing unit.

3.2. Holistic Case Management

3.2.1. VGFN is committed to using a holistic case management approach to address the financial, social, health and wellness concerns of tenants on a case by-case basis.

3.2.2. Where practical, the Housing Department will work with other departments to meet the needs of rental housing tenants and to case manage situations where a tenant requires other services to maintain good housing standards.

3.2.3. The case management approach will be applied and used as fairly and consistently as practical, to avoid conflicts of interest.

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3.2.4.VGG strives to resolve housing issues with fairness, compassion, and consideration of VGFN traditional and cultural values. Evictions are seen as a last resort once all other options have been exhausted.

4. **Definitions**

Many of the terms used in this policy are defined in the Yukon *Residential Landlord and Tenant Act*. Definitions given here are specific to the VGFN Housing Policy. If there is a conflict between these definitions and those in the RLTA, the latter prevail.

“Arrears” means any money owed by the tenant to VGG that is late or overdue.

“Disbursement Committee” means the committee established by Council Resolution 02-17-2023-#04.

“Elder” means a Citizen who is sixty years of age, as defined in the Constitution.

“Eviction” means the legal action taken by VGG to remove a tenant from a rental housing unit for failing to honour the conditions of their tenancy agreement and the Housing Policy.

“Landlord” means the Vuntut Gwitchin Government as owners of the rental housing stock.

“Rental Housing Unit” means a house, apartment, or other form of residential rental accommodation located on VGFN Settlement Land and owned by VGG.

“Resident” means a person who lives on Vuntut Gwitchin Settlement Land for at least six months each calendar year, but who may or may not be a Citizen of Vuntut Gwitchin First Nation.

“Residential Landlord and Tenant Act” (RLTA) means the Yukon government’s *Residential Landlord and Tenant Act*, SY 2012, c. 20 and its regulations; as may be amended from time to time.

“Tenancy Agreement” means, as per the *Residential Landlord and Tenant Act*, a written agreement between VGG and a tenant for the right to occupy a VGG rental housing unit.

“Tenant” means a person who is signatory to a rental tenancy agreement or is otherwise responsible for the obligations of a tenant.

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5. Governance

5.1. Approval, Review, Amendments

5.1.1. This Policy was approved by VGFN Chief and Council on January 4, 2024 by Council Resolution 01-04-2024-#77 and is effective as of that date.

5.1.2. This policy replaces the 2006 Housing Policy, which is revoked.

5.1.3. This Policy shall be reviewed by the VGG administration after one year to identify any challenges in its application and implementation.

5.1.4. This Policy may only be amended through Chief and Council Resolution.

5.2. Application

5.2.1. This Policy applies to Chief and Council, to the Disbursement Committee in relation to its housing related duties, to VGG as the landlord of VGG rental housing units, to VGFN Citizens who are tenants, and to other tenants of VGG.

5.3. Chief and Council Roles

5.3.1. Chief and Council are responsible for providing the overall direction and the setting of priorities on housing matters, consistent with the policy. Chief and Council have the specific responsibilities of approving the policy and any amendments to it.

5.4. Disbursement Committee Roles

5.4.1. The Disbursement Committee is responsible for recommending to Chief and Council the disbursement of rental housing units and housing program funds as set out in its Terms of Reference, as approved by Council Resolution 02-17-2023-#04. For the purposes of the Housing Policy, rental housing units are treated as funds in the Disbursement Committee Terms of Reference. The Committee is to disburse rental housing units and funds in accordance with established program criteria.

5.4.2. In accordance with Council Resolution 02-17-2023-#04¹, the following specific roles are assigned to the Disbursement Committee:

¹ Resolution 02-17-2023-#04 stated:

“Once the Housing Policy is revised, the relationship between the Disbursement Committee and the Housing policy and program will be established in that policy.”

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- a. Review the housing allocation recommendations from the Housing Department and make decisions as to housing allocations.
- b. Review home ownership applications and make recommendations to Chief and Council on home ownership.

6. VGG Housing Programs

6.1. Rental Housing

6.1.1. Application of Yukon's *Residential Landlord and Tenant Act*

The terms and conditions outlined in this policy comply with the provisions of the Yukon's *Residential Landlord and Tenant Act*. If there is a discrepancy between this policy and the Act, the Act will prevail.

6.1.2. Responsibilities - Housing Department (landlord)

- 6.1.2.1. The Housing Department delivers the housing program and services for VGG, in accordance with the Residential Landlord and Tenant Act, including:
 - Providing rental housing units in a reasonable state of repair suitable for occupation by the tenant.
 - Prioritizing and overseeing repairs, renovations, and maintenance in a cost-effective manner.
 - Receiving applications for rental housing.
 - Administering the rental housing unit allocation system in coordination with the Disbursement Committee.
 - Making recommendations to the Disbursement Committee regarding housing unit allocations.
 - Providing advice to Citizens on housing matters generally, and on specific issues related to their rental housing unit, such as understanding the tenancy agreement and services offered by the Yukon government Residential Tenancies Office.
 - Collecting rent and issuing receipts.
 - Working with other VGG departments as appropriate in applying a holistic case management approach to meeting the needs of rental housing tenants.
 - Advising Chief and Council, and other VGG departments, on housing matters as needed.

6.1.3. Responsibilities -- Tenants

- 6.1.3.1. Tenants have a number of responsibilities, including:

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- Acting sincerely and truthfully when making an application for VGG housing.
 - Abiding by the *Residential Landlord and Tenant Act*, their rental agreement, and this Policy.
 - Maintaining Old Crow as their residence and advising the Housing Department if they become a resident outside of Old Crow.
 - Paying their rent in full and on time.
 - Obtaining and paying for the cost of insurance to cover their contents and personal property. VGG is not responsible for the contents and personal belongings of the tenant.
 - Maintaining reasonable health, cleanliness and sanitary standards throughout the rental housing unit and the other residential property to which they have access, such as cleaning regularly especially kitchen and bathroom areas to prevent mold or mildew growth.
 - Carrying out the day-to-day upkeep, and minor maintenance tasks such as clogged drains and maintaining smoke alarms.
 - Notifying the Housing Department of repairs that are required, such as broken windows, damage to walls, any breaks or defects in the water, heating or electrical systems.
- 6.1.3.2. Tenants are responsible for damage caused by themselves and/or their guests; and may be billed for the cost of repairs.
- 6.1.3.3. Tenants must seek permission from the Housing Department to run a home-based business from the rental property and obtain a business licence from VGG.
- 6.1.3.4. As the principal landlord in Old Crow with a mandate to provide housing to Citizens, VGG requires tenants to be residents in Old Crow so that housing units are used by people who are living in the community. Also, VGFN Citizens live together in a vibrant, proud community, and vacant housing can detract from this and lead to derelict buildings and neighbourhoods.
- 6.1.3.5. If a tenant is not occupying and using a housing unit, they should advise the Housing Department and end the tenancy, so that the unit can be used by someone living in the community. Tenants who will be absent from their rental housing unit for longer than four weeks must seek written permission from the Property Manager to maintain their tenancy. Tenants can be absent (with written permission) for a maximum of two months. Absences longer than two months may lead to eviction so that other tenants can occupy the unit. Tenants who cease to be residents in Old Crow may be evicted by VGG to free up the unit for other uses.

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- 6.1.3.6. VGG may ask for proof of residency to verify ongoing eligibility for VGG housing.

6.1.4. Eligibility

To be eligible for a rental housing unit an applicant must meet the following criteria:

- a. be a resident of Old Crow, or intending to become a resident,
- b. be a tenant of only one VGG rental housing unit,
- c. must not own their own home in Old Crow,
- d. be 18 years of age or older,
- e. must provide full disclosure of all “no contact orders” or such other orders, restrictions, or instruments that are in place,
- f. must not be in arrears or have outstanding money owing to VGFN; or must be in a repayment agreement with VGFN,
- g. must be able to provide at least one satisfactory rental reference from a recent landlord or character reference from a reliable source (e.g., an employer, teacher),
- h. must be able to demonstrate (through a bank account statement or other means) that they can provide the first month’s rent and the security deposit (equal to one month’s rent) at the time the tenancy agreement is signed,
- i. must not have been evicted for reasons of damage, disruption, illegal activity, or other reasons listed in section 52 of the *Residential Landlord and Tenant Act* within the previous two years.

6.1.5. Application Process

1. Applications for rental housing are accepted year-round.
2. Applications must be submitted in person or by email to the Property Manager after which they will be stamped with a received date and recorded in a housing application logbook.
3. Applicants must meet with the Property Manager, who will review the application to ensure all required information has been provided, to confirm applicants meet the eligibility requirements, and to explain the housing allocation (points rating) system.
4. If the required information is not provided, the applicant will be asked to resubmit the application once the information is available.
5. Applicants must identify the number of bedrooms required, and the rationale, as this is a key aspect of the housing allocation decision.
6. If an applicant fails to provide full disclosure, they will be required to resubmit the application with the proper and full information before their application can be processed.

6.1.6. Allocation

- 6.1.6.1. VGG Disbursement Committee will determine the priority of each application and to allocate rental housing units. This system balances the

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applicants' needs with the available rental housing unit stock. Applications are sorted into three categories: single unit, two-bedroom units and three (or more) bedroom units.

- 6.1.6.2. Priority is based on a number of factors including whether an applicant
- a. is a victim of recent violence or abuse (as evidenced by court or affidavits from relevant VGG departments and other agencies) – *this is a priority situation for housing*
 - b. is homeless, or experiencing housing insecurity (e.g. couch surfing) – *this is a priority situation for housing*
 - c. is elderly or disabled (as evidenced by appropriate documentation where necessary),
 - d. is a single parent,
 - e. currently lives in inappropriate accommodation (as verified by the Housing Department), for example not enough bedrooms for the size and composition of the household,
 - f. is in an emergency situation (i.e. vacated from home due to fire or an event outside the individual's control),
 - g. is a young adult who has recently been in the child and family care system,
 - h. is low income,
 - i. owes arrears or has an approved repayment plan,
 - j. has been on the waiting list for a long time (the longer on the list, the higher the priority),
 - k. is currently in Old Crow
- 6.1.6.3. The list of housing applicants is confidential. When new or recently vacated rental housing units become available, the Property Manager will forward recommendations for placements to the Disbursement Committee for its consideration.
- 6.1.6.4. The Disbursement Committee is not bound to decide based solely on the allocation and the recommendation of the Property Manager. It has the discretion to allocate housing to applicants based on other criteria it deems fit to consider, provided that the decision is fair given the circumstances, and free from discrimination, family influence or political decision making.
- 6.1.6.5. In some extreme cases applicants can be considered for needs-based allocations. Situations in which the Disbursement Committee may consider a needs-based application are:
- a. Life threatening
 - b. Domestic violence
 - c. Serious medical conditions
 - d. Sudden homelessness
 - e. Family re-unification

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6.1.7. The Tenancy Agreement

- 6.1.7.1. The VGG uses the Yukon government's Tenancy Agreement Template; and as such, complies with the *Residential Landlord and Tenant Act*.
- 6.1.7.2. A tenancy agreement is a legal document that sets out the terms and conditions associated with renting a VGG rental housing unit. It is administered according to the terms outlined in the agreement, the *Residential Landlord and Tenant Act*, the Housing Policy, and any applicable VGFN laws. The tenancy agreement confirms the obligations, rights and responsibilities of the tenant and the Housing Department.
- 6.1.7.3. Once the applicant has accepted the offer of a rental housing unit, and prior to tenancy, the Property Manager will meet with the tenant to explain all aspects of the rental program and explain the tenancy agreement, outlining the responsibilities of the Housing Department as landlord and those of the tenant, the consequences of breaching the agreement or the Housing Policy. A record of this meeting will be retained in the tenant's file.
- 6.1.7.4. All individuals who will reside in the unit must be listed on the tenancy agreement. There must be full disclosure of all potential tenants including any "no contact orders" that are in place.
- 6.1.7.5. The agreement must be signed by the tenant and any co-tenants prior to occupancy.
- 6.1.7.6. The Property Manager will provide the tenant with a copy of the agreement, this policy, and if requested, applicable bylaws, rules, or regulations.
- 6.1.7.7. The Housing Department will review each tenancy agreement prior to its anniversary date, or annually if the tenancy agreement is month-to-month.

6.1.8. Rent (rates, increases and payment) and Rental Arrears

- 6.1.8.1. Rental rates may be reviewed by the Housing Department in consultation with Chief and Council. Rental increases will only be made in accordance with the *Residential Landlord and Tenant Act*.
- 6.1.8.2. Rent is due on the first day of each month to the Housing Department.
- 6.1.8.3. Once a year, the Housing Department will provide each tenant with a statement of account confirming payments received and/or payable for the previous calendar year.

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- 6.1.8.4. Social Assistance may pay rent, exclusive of utilities and services, directly to the Housing Department.
- 6.1.8.5. Rent not paid on or before the first day of each month is in arrears.
- 6.1.8.6. VGG recognizes that periodically a tenant may not be able to pay their rent on time due to unforeseen circumstances. In these instances, the tenant must immediately contact the Property Manager to explain the situation and work out a repayment schedule to suspend arrears procedures.
- 6.1.8.7. On the fifth working day of the month after non-payment of rent, the Housing Department will issue a first notice to the tenant. The first notice will remind the tenant that the account is in arrears and that they must pay their rent in full or meet with the Housing Department to enter into a written agreement to repay the amount owed and the consequences of failing to pay the arrears. The Property Manager will contact the tenant in an effort to resolve the arrears.
- 6.1.8.8. On the tenth working day of the month, if the tenant in arrears has failed to contact the Housing Department, the department will issue a second notice to the tenant. The Property Manager will contact the tenant by email, phone and/or visit the tenant's rental housing unit.
- 6.1.8.9. On the last calendar day of the month, if the tenant has neither paid the arrears in full nor entered into a repayment agreement, the Housing Department will issue a third written notice. The notice will confirm the tenant has ten working days to pay the arrears in full or to meet with the Housing Department and enter into a written repayment agreement. The notice will confirm that failing to repay the arrears in full or enter into a repayment agreement will result in the Housing Department issuing a notice to terminate the tenancy due to a non-payment of rent and/or to implement collection processes.
- 6.1.8.10. Ten days after the third and final notices, if the tenant has failed to respond, the Housing Department will begin the tenancy termination process, including eviction.
- 6.1.9. Security Deposit
- 6.1.9.1. VGG may charge a security deposit from tenants. VGG reserves the right to garnish wages from any VGG employee for debt or damage to a rental housing unit that occurs under a tenancy agreement.
- 6.1.10. Subletting

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- 6.1.10.1. As the principal landlord in Old Crow with a mandate to provide housing to Citizens, VGG generally does not allow assigning or subletting of the rental housing unit to another person.
- 6.1.10.2. In exceptional circumstances, subletting may be permitted for short periods during times the tenant is temporarily absent from the community for medical reasons, education, family emergencies or employment. Written permission must be obtained beforehand from the Housing Department.
- 6.1.11. Evictions
- 6.1.11.1. VGG uses a holistic case management approach before pursuing eviction, and, as necessary, to handle evictions with fairness, compassion, and consideration of VGFN traditional and cultural values.
- 6.1.11.2. Any evictions will be carried out in accordance with the *Residential Landlord and Tenant Act*.
- 6.1.11.3. VGG views evictions as a last resort once all other options have been exhausted.
- 6.1.12. Inspections and Tenant Damage
- 6.1.12.1. The tenant and a representative of the Housing Department will carry out a condition inspection at the start of each tenancy, as required by, and in accordance with, the *Residential Landlord and Tenant Act*.
- 6.1.12.2. A representative of the Housing Department will complete a condition inspection report. Both the Property Manager and the tenant will sign the condition inspection report and the Property Manager will give the tenant a copy of the report within 14 days after the condition inspection is completed.
- 6.1.12.3. If damage to a rental housing unit or common area is caused by the actions or neglect of a tenant or a person permitted on the property by the tenant, the tenant is responsible for the cost to repair the damage and must:
- a. notify the Housing Department as soon as practicable after the damage occurs, and
 - b. have the damage repaired, unless otherwise agreed to by the tenant and the Housing Department.
 - c. VGG reserves the right to charge back for repairs to damages and to garnish wages.
- 6.1.12.4. The tenant and a representative from the Housing Department together will inspect the condition of the rental housing unit at the end of the tenancy.

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- 6.1.12.5. A representative of the Housing Department will complete an end-of-tenancy condition inspection report. Both the Property Manager and tenant must sign the condition inspection report and the Property Manager must give the tenant a copy of the report within seven days after the condition inspection is completed.

6.1.13. Maintenance, Repairs and Renovations

- 6.1.13.1. Tenants are responsible for maintaining reasonable health, cleanliness and sanitary standards throughout the rental housing unit and the associated residential property to which they have access. This includes the day-to-day upkeep, and minor maintenance tasks, including:
- a. repairing plugged toilets, sinks and drains,
 - b. replacing light bulbs, fluorescent tubes, light shades, and globes,
 - c. replacing or installing weather stripping,
 - d. replacing and tightening hinge screws and door pulls,
 - e. keeping the unit and property free from garbage, debris, and materials that may be a fire, health, safety, or environmental hazard, such as abandoned vehicles, appliances, or other equipment,
 - f. replacing batteries required in appliances and safety equipment (e.g. smoke and CO₂ alarms), and
 - g. exterior care such as yard maintenance.
- 6.1.13.2. Tenants are required to immediately inform the Housing Department if the fire safety equipment in the rental housing unit stops working, and to immediately report any emergency repairs required, including any break or defect in plumbing, heating, or electrical systems.
- 6.1.13.3. Tenants are responsible for filing a police report and contacting the Housing Department if damage to the rental housing unit and/or property has resulted from vandalism or willful damage.
- 6.1.13.4. The Housing Department will carry out a repair and renovation program to ensure rental housing units meet the minimum rental standards identified in the Residential Tenancies Regulation, so that all rental housing units and residential properties are safe, sanitary, and fit for human habitation.

6.1.14. Terminating the Tenancy Agreement

- 6.1.14.1. All tenancies will be ended in accordance with the *Residential Landlord and Tenant Act*, whether by the tenant or the Housing Department.
- 6.1.14.2. The Housing Department may terminate a tenancy agreement with cause if the tenant:
- a. Does not pay rent or rental arrears,

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- b. Uses the home to conduct illegal or criminal acts,
- c. Creates excessive noise and disturbs the neighbours,
- d. Willfully or negligently causes significant damage to the rental housing unit or common areas
- e. Abandons the property – Abandonment is when the tenant gives up the tenancy and possession of the rental housing unit without proper notice to the landlord,
- f. Breaches any term of the tenancy agreement, or this policy, or
- g. Commits any breaches found in section 52 (“Landlord’s notice for cause”) of the *Residential Landlord and Tenant Act*.

6.1.15. Disputes

- 6.1.15.1. Tenants are encouraged to raise any grievances or complaints with the Housing Department in a respectful manner. Likewise, the Housing Department will treat all tenants in a respectful and fair manner.
- 6.1.15.2. The Housing Department will make best efforts to resolve issues and concerns quickly, fairly, and appropriately. Disputes between two or more tenants may be beyond the jurisdiction of the Housing Department to resolve.
- 6.1.15.3. If a tenant is not satisfied with how a situation has been resolved by the Housing Department, they may apply for dispute resolution with the Yukon government Residential Tenancies Office and avail themselves of the dispute resolution mechanisms in the *Residential Landlord and Tenant Act*.

6.1.16. Miscellaneous

Rental Incentive

Tenants who pay their rent on time for a minimum of 12 months and who maintain the property as required by the tenancy agreement are eligible for a 50% reduction for the month following 12 consecutive months of good standing. The next 12-month period starts with the month for which rent is reduced.

Pets

VGG allows up to two pets (cat or dog) in a rental housing unit in accordance with this policy, provided there is a safe and sanitary environment for all tenants, VGG employees, and the general public; and the physical condition of the unit and surrounding property is preserved.

If a tenant wishes to keep more than two pets, they must seek written permission from the Property Manager and include information on the size of the pets and how they will be housed.

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- A tenant who has approval to keep a pet in a rental housing unit must:
- a. ensure that the pet wears a tag displaying the name, address and telephone number of the tenant,
 - b. not allow the pet outside the unit or property unless the pet is on a leash and under control of the owner,
 - c. not allow the pet to bark excessively while tied up in the yard,
 - d. keep their unit and surrounding area free of pet odors, insect infestation, pet waste and litter; and maintain the unit in a sanitary condition at all times,
 - e. collect and properly dispose of their pet's waste,
 - f. ensure that the rights of other tenants to peace and quiet, enjoyment, health and safety is not diminished because of the tenant's pet.

The Housing Department will investigate complaints about pets and issue a 30-day notice to comply with the policy or activate other VGG policies on dog control.

6.2. Home Ownership

6.2.1. Purpose and Principles

Home ownership provides an option for Citizens who wish to own or build their own home instead of renting, and in part addresses aging units.

Citizens have the option of owning housing units in Old Crow. There are two ways to own dwellings -- purchasing an existing building (either from VGG or its current owner) or constructing a new unit.

In no case does home ownership include the land on which a housing unit sits.

VGG may develop further policies on home ownership as interest in home ownership accelerates and more robust policies are required.

6.2.2. Definitions

A Certificate of Ownership means a certificate issued by VGG to the owner of the dwelling unit as evidence that the individual has the legal possession and control over that unit. The Certificate refers to the unit only, and not the land on which the unit is situated.

In the absence of land interest legislation for VGFN Settlement Land, a Certificate of Land Tenure means a certificate issued by VGG to the holder of a Certificate of Ownership which gives them the right to occupy the Settlement Land on which the dwelling unit sits. A Certificate of Land Tenure enables the owner of the unit to use the specific parcel of land as long as the unit or a replacement exists on the parcel. This section will be updated once land interest legislation for VGFN Settlement Land comes into effect.

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6.2.3.Homeowner Responsibilities

Homeowners are responsible for:

- insurance,
- renovations,
- maintenance and repairs, including roof and major appliances
- all utility costs,
- ensuring care of the unit when it will be vacant for any period longer than 24 hours.

6.2.4.Purchasing an existing VGG unit

Not all VGG units are available for purchase. It is in the best interest of the community for VGG to maintain a stock of rental accommodation.

Prospective purchasers may only apply to purchase units that meet the following criteria:

- VGG has identified the unit as being eligible for purchase,
- The applicant or an immediate family member of the applicant are currently living in the unit, or the unit is vacant,
- The unit is not the subject of conflicting claims regarding its historical ownership or title.

6.2.5.Eligibility

To be eligible to purchase a unit from VGG, applicants must:

- be a VGFN citizen,
- be 18 years of age or older,
- not be in arrears or have outstanding money owing to VGFN, or be in a repayment agreement with VGFN,
- be able to demonstrate (through a bank account statement or other means) that they are in a position to secure necessary financing to purchase the unit.

6.2.6.Purchase Price

The cost to purchase a unit from VGG will generally be based on its assessed value factoring in costs to make any repairs.

In some cases, older units may be made available ‘as is, where is’ for purchase below assessed value. This option is normally for situations where the prospective owner can demonstrate a historical family connection to the home (e.g. long-standing occupancy, valid claim of having built it).

6.2.7.Purchasing a privately owned unit

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Only privately owned units for which a *Certificate of Ownership* and a *Certificate of Land Tenure* have been issued by VGG can be purchased. This section will be reviewed once land interest legislation for VGFN Settlement Land is in place.

Units can be sold only to Citizens who are living in Old Crow.

When ownership of the privately owned unit changes, a new *Certificate of Ownership* and a new *Certificate of Land Tenure* shall be issued by VGG.

6.2.8. Constructing a new unit

New dwelling units may only be constructed by Citizens for themselves or immediate family members to live in for a period of at least five years; that is, construction for speculative purposes is not permitted. The potential owner must be a current resident in Old Crow at the time of construction.

The builder/potential owner must have private financing through a lending institution or from other private sources.

The building site within community boundaries must be approved by the Government Services Department and be in accordance with the Community Plan and any other applicable laws or policies.

6.3. Elders' Housing Program

- 6.3.1. VGG values and respects the knowledge and wisdom of Elders as they pertain to housing matters, for example regarding past community development, housing use patterns and other historical issues.
- 6.3.2. In the housing allocation system, Elders are considered as one of the highest priority candidates for housing.
- 6.3.3. VGG recognizes that Elders may benefit from additional assistance on housing matters, for example understanding their obligations as tenants, filling in paperwork, and requesting maintenance or repairs for their home.
- 6.3.4. While recognizing that as tenants, Elders have the responsibility for the day-to-day upkeep and minor maintenance tasks for their rental housing unit, Elders may request assistance with such tasks from the Housing Department. The cost of such maintenance tasks will be borne by VGG. The Housing Department does not cover capital cost upgrades or repairs as a matter of maintenance.

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6.4 Vuntut Gwitchin Government Employee Housing Program

- 6.4.1 This section applies to all Vuntut Gwitchin Government employees in relation to housing administered by the Vuntut Gwitchin Government for the benefit of employees living in Old Crow longer than three weeks. Short term staff housing is addressed through short term accommodations.
- 6.4.2 The Vuntut Gwitchin Government and employees receiving housing under this policy are subject to the *Residential Landlord and Tenant Act* as well as any applicable legislation administered by the Canada Revenue Agency (CRA).
- 6.4.3 An employee means an employee of the Vuntut Gwitchin Government and includes contract employees and casual employees.
- 6.4.4 For VGG employees who become tenants in Old Crow as part of their employment conditions, the VGG Human Resources Director is their landlord representative on behalf of VGG. As landlord representative the Human Resources Director is responsible for allocations, inspections and work orders.
- 6.4.5 Principles for employee housing:
- Access to employee housing is not an entitlement of, or benefit owing to employees.
 - The availability, affordability, suitability and quality of housing in Old Crow is integral to the delivery of government programs and services.
 - The VGG's role in providing housing for employees is to help address a lack of housing options in Old Crow that may hinder the recruitment and retention of employees.
 - The VGG's approach to housing for employees should, where feasible, facilitate economic growth opportunities in Old Crow and for VGFN.
- 6.4.6 Eligibility
- An employee is eligible for housing under this policy if:
- the employee is hired from outside of their home community; and
 - the employee is hired into a position considered critical to the delivery of a VGG program in Old Crow; and
 - the employee, either by themselves or with their spouse or others, does not have a legal interest in a residential dwelling in Old Crow; and
 - the employee has no tenant arrears with VGG or evictions by VGG within the three years preceding the date of the application to VGG for housing as an employee.

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6.4.2 Allocation

- The Human Resources Director will work with the Property Manager to find suitable housing for employees.
- VGG is responsible for assigning rental housing units to employees from within VGG's available housing stock.
- VGG will determine the availability of rental housing units and define the purpose for which the units may be utilized (e.g., short-term, family, single, shared). This may include setting aside specific rental housing units for specific needs (e.g., employees undertaking temporary, relief or seasonal work, or where a unit has been modified for a specific program delivery purpose).
- Shared housing may only be provided to an employee who consents in writing to VGG to sharing the unit with one or more other employees.
- VGG may, at its discretion, relocate over-housed employees upon suitably-sized housing becoming available.

6.4.3 Rental rates and housing benefits

- VGG will establish the rental rates for employee housing, including whether or not utilities are included in the rent.
- Housing provided to an employee may be considered a form of compensation that must be reported as taxable income to the employee, and which is subject to applicable deductions. The Human Resources Director will determine whether the housing is a form of compensation and a taxable benefit.

6.4.4 Tenancy Agreements

- Prior to occupying housing, an employee and VGG must enter into a written tenancy agreement that complies with the requirements of the *Residential Landlord and Tenant Act* and that contains all of the terms and conditions of the tenancy. The Human Resources Director will provide the tenancy agreement template to the employee.
- Tenants are responsible for their unit, including rent, utilities and any other applicable fees or expenses, as set out in their tenancy agreement, during a period of leave, regardless of the length or nature of the leave or whether they are absent from their unit during the leave period.
- The Human Resources Director and the Property Manager are responsible for managing, maintaining, and administering the process of providing housing, in accordance with this policy, on behalf of Vuntut Gwitchin Government.

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- Employees as tenants are responsible for upholding and fulfilling their obligations as set out in their tenancy agreement, and any other directive or policy of VGG that is relevant to the provision of housing to the employee.