

TSAWOUT HOUSING POLICY: COMMUNITY SURVEY 2018 RESULTS

A. DECISION-MAKERS

1. Who should make decisions regarding selection of new tenants for vacant rental units?

- (34%) Tsawout Housing Manager in accordance with rules set out in the new Housing Policy
- (50%) A Housing Committee made up of volunteer members, in accordance with rules set out in the new Housing Policy
- (28%) Council in accordance with rules set out in the new Housing Policy

Other / Comments:

- *I checked all boxes as I feel it should be a joint decision by all people listed above*
- *A Housing Committee should be formed and all the above should be involved to make proper responsible decisions in finding actual responsible individuals/families who would be good tenants*
- *As long as all families are represented at the table*
- *Waitlist – create personal/confidential phase numbers to update in newsletter if needed*
- *Needs - overcrowding members*
- *Housing committee then housing manager*
- *With no favoritism*
- *A person listed above, with recommendations from housing manager*
- *No*
- *Should be go through a committee then agree with manager to agree altogether*
- *Should have back up with council/volunteers*
- *Decision makers, there needs to be very clear policies for all housing in Tsawout with a clear mandate and vision for the community. There are a number of types of housing:*

CMHC MORTGAGED HOMES ON BAND LAND

CMHC MORTGAGED HOMES ON CP LAND TRANSFERRED TO THE BAND

INDIVIDUAL MORTGAGED HOMES ON BAND LAND (TRANSFERRED FROM CP)

PRIVATE HOMES ON TRADITIONAL HOLDINGS

PRIVATE HOMES ON CP'D LAND

BUCKSHEE LEASE HOMES

REGISTERED LEASE HOMES

PRIVATE HOMES ON DISPUTED PROPERTY

PRIVATE RENTALS ON DISPUTED PROPERTY

PRIVATE RENTALS ON CP'D PROPERTY

Until there are clear policies and guidelines for all homes it will appear to be unfair to target one group of homes in the community. When the original band mortgages were made we were assured CP's to the property the mortgages were paid.

A housing committee must have at least five years of experience understanding policies and procedures, violations of human rights and infringements to laws and procedures.

Enforcement laws to be fair must apply to all housing and each unique situation and implemented fairly and not singling out one specific classification of housing.

The administration of the housing program must be solid and fair and not set up to single out individual families or allowed to dwell on historical arrears that are not justified or clearly understood.

Community members were assured there interests and investments were protected and would be treated fairly since 1986. Certain individual are targeted and certain families are overlooked.

The decision makers must have clear options for community members as to hope for the future for their families in housing, prior to implementing harsh plans of actions, or enforcement of unfair laws. Where is the future housing plan for community members prior to trying to enforce a process for 5% of the nation who house the most vulnerable members in the community.

There are estimated to be over 1300 residential units in the community that includes of the developments and above noted types of homes.

Selection of tenants of tenants is much more than putting someone in a disputed home claimed by the band.

2. Who should be in charge of monitoring tenant's compliance with their tenancy agreements, and taking enforcement steps against tenants who are not upholding their responsibilities?

- (54%) Tsawout Housing Manager in accordance with rules set out in the new Housing Policy
- (38%) A Housing Committee made up of volunteer members, in accordance with rules set out in the new Housing Policy
- (18%) Council in accordance with rules set out in the new Housing Policy

Other / Comments:

- Monitor and make informed decisions based on the agreed contract
- I think both can be depending on the problem because it can be intimidating to deal with the manager
- Process should be to follow the steps to acknowledgment by. Manager, creating case with the committee, and then brainstorm ideas from committee to provide to Council portfolio holders as final decision-makers
- Clerk to log complaints
- Tenants should before approved, show ability to pay rent
- A volunteer elder to speak to tenant
- No
- A committee should monitor tenants, and work with Housing Manager
- Should have back up with council/volunteers
- Tenant responsibilities again is much more than a specific group in the community there has to follows the assimilation of our people by Canada. Does our Nation act as a landlord for Canada or does our nation work in the best interests of our people.

B. Eligibility and Selection Criteria for New Tenants in Tsawout-owned Rental Units

3. What criteria should a person have to meet if they want to apply for a Tsawout- owned Rental Unit (Tick All that apply)

- (80%) Must be a Tsawout Member
- (70%) **AVG MOST FREQ MIDDLE** Must be at least ___ years of age
20.7 19 20
- (48%) Must either not owe any arrears / debt to Tsawout OR at least be taking steps towards re-payment of those arrears / debt
- (60%) Must have evidence of their ability to pay full rental amount
- (34%) Must not own a house already on CP Lands
- (26%) Must not own CP Lands
- (32%) **AVG MOST FREQ MIDDLE** Number of persons in household must be appropriate for the size of the rental unit, meaning no more than ___ bedrooms in the rental unit should remain empty
0.9 1 1

Other / Comments:

- Responsible, honest, hardworking adults

- *Tenant/Tsawout to take responsibility and accountability to work with tenant units*
- *Temp accommodation in prep for owning on own lands*
- *No drug dealers. Must not owe any arrears to Tsawout. Takes to <?> to pay back arrears. Look at past history*
- *Be from any Saanich Nation*
- *Be First Nations from any Saanich Nation*
- *Should be only the family on tenant's agreement not tenants' siblings and their kids. One person in the household should be a Tsawout member.*
- *One person in household must be a band member whether it be a child or adult/parent*
- *Decisions cannot be made for tenancy agreements until a clear mandate is in place for the nation. The process has to be very clear and the future of community members has to be priority. A lot of education and training is required for leadership, staff and community members prior to enforcement of a land lord/tenant relationship. Enforcement of tenancy be a fair approach to the entire nation. The assumption of a land lord and tenant relationship*

agreements without properly supported housing management for 10 years requires a lot of work, education and planning prior to developing a policy again. There is no quick fix to a housing problem until there is a complete understanding of the entire on reserve housing situation. A lot of training, education and understanding especially since housing is a high need with a huge responsibility. As long as the process is fair throughout the whole community members will be supportive.

Criteria for a Tsawout housing rental creates risk for a community member if there aren't full operational policies, procedures are in place. Its common understanding housing in Tsawout is for registered Tsawout members who are of legal age and have a proven record of being able to not only pay rent but be self-supporting to be able to pay bills etc, the plans are for the future and members in existing homes should not be grandfathered in to new policies. Members have paid off mortgages and have upkeep homes and should not be discriminated by threats of eviction because you own a CP. CP's are more often held in trust for family members and historical grief and trauma of individuals may not always have consideration for extended family members. Extended family members should not be criticized or threatened by anyone for holding small portions of land for future children, grandchildren, great children. There are historical land values and traditions on every piece of land in Tsawout. The land that the subdivision is on was owned by the Late Richard Harry, my grandfather, and there was a historical claim on the land prior to the band developing and that was overlooked. The family was to be given an option to purchase the property back which my grandfather intended before he passed.

4. Who should be given priority when a rental unit becomes available?

Example – 1 unit available and 10 people to decide between on who to give it to. (Tick all that apply)

- (68%) Persons waiting the longest should be provided housing before more recent applicants
- (40%) Applicants who are in extenuating circumstances should be given priority over applicants who do not make such a claim.

What does extenuating circumstances mean? Tick the following which apply:

- (42%) Currently homeless or at immediate risk of homelessness
- (34%) **AVG MOST FREQ MIDDLE** Low income (on Social Assistance or family income is less than \$___K per year)

11	10	10
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- (50%) In an over-crowded home (less than 1 bdrm per adult; less than 1 bdrm per child 16+ years old; less than 1 bdrm per 2 children 15 or younger)

- (44%) Serious health problem or disability that is negatively impacted by current living situation
- (28%) Victims of violence, moving away from the perpetrator
- (20%) Youth aging out of care or going on independent living while in care

Other:

- Young responsible of paying rent
- How do they pay rent if homeless?
- Move away from a violent person who has been charged
- Children returning from foster homes
- Priority of rental units. Not the Tsawout staff as the practice has been in the past. IF you were an employee of Tsawout you were given priority of rentals. Poor decision making. Priority is proven track record of being able to be self-supportive which isn't only being able to pay rent but also hydro. The rents have to be fair and not set higher than social development rates which a family rate is around \$550 per month.

Everyone has a story, the story and current living conditions of every community member is priority. The decision must be based on the willingness to pay and understanding the tenancy agreement. Too often young people abusing drugs and alcohol are allowed to stay in units because of who they are and making a policy decision against families must be supported by management. Until that entire process can be understood and consequences understood it will be difficult to enforce policy. Too often staff and committees personalize and it will be challenging for Tsawout to break out of that. The decisions must not violate human rights, discriminate race or disability, and there has to be longer term plans to eventually move out of rentals. The clause of owning CP land is that discriminatory?

Too often lifestyles are my choice, unfortunately by addiction or some other form of dysfunction that could lead to being a priority of a rental unit, is that right? Or there are reactionary decisions of family break ups, single mom with children allocated a unit then reunite 3 weeks later then there is no longer a crisis but now they can happily live in a rental.

Serious health problems usually require individual health care plans..... would the nation be creating dependency or reacting to short term illness. All of our people have serious health problems, physically, spiritually, mentally or emotionally. It's a difficult position to be in and family usually have to take responsibility. A full assessment tool needs to be created to determine the housing need prior to reacting to solving a problem and being fair to other members awaiting living units.

MONITORING AND ENFORCEMENT OF TENANCY AGREEMENTS

5. What amount of rental arrears should a person owe before they face a risk of eviction?

- (18%) No rental arrears should be allowed, regardless of who the tenant is. A tenant should be required to pay rent on time ALWAYS or face a risk of eviction. It is not fair that people who are willing and able to pay rent are on the waitlist for a rental unit when current tenants aren't paying their rent.
- (56%) One month (\$480-\$580) of rental arrears should be allowed but only if (1) the person can justify why their rental payment was not made AND (2) the person enters into and complies with a repayment agreement. Sometimes people just have a bad month.

A person's failure to pay rent is justified when _____:

- They have family on council or they are on council
- Unforeseen expense occurs; or laid off from job
- Death of an immediate family member
- Loss of job/illness/relationship breakdown
- Very sick - job loss
- Family has funeral expenses, or have to travel for funeral at long distance

- Health, work, family emergencies, etc.
- There is no contact between tenants and manager to arrange pay plan
- No contact with housing manager. No arrangements to pay back.

(30%) Two months (\$960-\$1,160) of rental arrears should be allowed but only if (1) the person can justify why their rental payment was not made AND (2) the person enters into and complies with a repayment agreement. Sometimes people just have a bad month.

A person's failure to pay rent is justified when _____:

- A teacher applies (only off for 2 months)"
- Should never happen but should pay back before they get their own house on CP lands
- After 2 mos - if not paid except in extenuating circumstance
- Previous reasons but with payment plan set in order

Other:

- I also think there should be a strike 3 rule in effect. Give knowledge that responsibility comes first, and the agreement is taken seriously
- Work with family or individual; offer educational support on budgeting
- Allow a repayment agreement to fit tenant's needs/stability for their family
- Ability to place new people in arrear house
- Never was a problem only because S.A. pays it
- People over 18 and under 65 should be actively working or looking for work to pay rent
- Should depend on why a tenant is behind
- 580 is too much for old house. Paid <?>
- Rental Arrears. Administering a housing program and being consistent, fair and having a structured process for rental notices is a on going problem. Until the process in housing is fully understood and supported it will be a problem. Arrears notices have been appealed for years and the social development payments were not being posted properly or not being made by social development when clients were eligible. The problems increased arrears for some and not clear for others. There were and are a lot of assumptions of arrears.

For new housing moving forward as long as the policies and procedures are followed there would be no arrears. Members would know and fully accept their responsibility to maintain a good tenant landlord relationship.

6. What amount of damage should a person be allowed to cause to their rental unit before they face a risk of eviction? (Tick All that apply)

(50%) No damage should be allowed, regardless of who the tenant is. A tenant should be required to fix damage they cause to the rental unit immediately or face a risk of eviction. It is not fair that people damage rental units when there are responsible people on the waiting list for a house. These rental units belong to our community as a whole and we need to protect them so our children and grandchildren have rental housing available

AVG MOST FREQ MIDDLE

(34%)	\$559.09	\$1,000	\$400	If damage is caused to a rental unit and the cost of repairing that damage is less than ____ the tenant should be allowed to remain in the rental unit and be given ____ months to fix the damage before they face eviction
(24%)	4	3	2	

AVG MOST FREQ MIDDLE

(32%)	\$936.45	\$1,000	\$800	If damage is caused to a rental unit and the cost of repairing that damage is more than ____ the tenant should fix that damage immediately or they risk eviction
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Other:

- Any damage should be fixed by the tenant who caused it as respect to their home. Our community is only gonna grow. Future housing should be a main priority and concern for coming generations
- Should be same as off reserve
- Home/unit should be inspected properly after renovations. Tsawout apartment units were rushed and incomplete
- Fix damage before 30 days
- There should be a damage deposit but not sure how much
- Or have payment plans in order
- It should be up to tenant to pay damage if tenant is responsible for damage, but say fridge or washer and dryer breaks, then housing should help with big appliance breaks.
- If damage is done housing may pay to fix but cost should fall to tenant. Payment arrangement should be accepted.
- For new housing and new mortgages closely monitored and administered by the landlord the policies and procedures allow for a zero tolerance. The mortgages prior to 2016 with the exception of the row housing, should not be grandfathered in to a new policy.

7. Other than failure to pay rent and damage to rental units, what other things should a person face eviction for?

- (62%) Unlawful activity in the rental home
- (62%) Excessive trash and debris around the exterior or interior of the house which may cause permanent damage to the quality of the home. For example, attracting rodents or cockroaches
- (54%) Excessive noise disturbing the neighbors

Other:

- Renting out to non-members on band land and collecting income from G50 then when notified ignoring written notices from the band when the band requests them to vacate the premises and they completely disregard the band's notices
- Breaking a material term; something essential to your tenancy) and ignoring a written warning from housing manager
- Respect and diligence must be given to our ancestors and elders that fought for us to have what we have today as first nation people and taking care of our community is what we were raised to do
- Drug dealing of any kind – marijuana, pills, coke
- All of the above apply
- Tsawout/Tenant to take responsibility to work together routinely"; "-Big bins for deep cleaning around Tsawout housing/units"; "- Landscaping tools provided or hiring to ensure the job is done right"; "- brainstorm to create a positive cycle of routine clean-ups"; "Let's work together to have a safe and clean environment for future generations and show/provide our young soon to be leaders in a positive environment". "NOTE: people should be allowed to have a private lifestyle of casual hangouts / BBQ and should have non-disturbance from 11pm to 7am
- Threats to neighbours
- More members allowed in home, drug dealing, growing pot in home causing mold, keeping area neat and clean
- Being a threat to the community. Unlawful activity usually means they (you) need evidence first which will never happen making our community safe and clean for our children and us should be priority
- Excessive noise: "Give one warning"; "- Rentals that have constant-meaning every week have parties with drugs or alcohol. Would also cause damage to rental"; "- Good questionnaire. Thank you. When units have trash outside, tenant should be given written notice and with no response, eviction. I wish CP landowners could be held accountable for trash in their yards. Council should look at some way to clean up reserve.

- *Just because they work for Tsawout and or are on council they think the rules don't apply to them and they don't have to pay rent because they are on counsel*
- *House used for party and or drug used*
- *After so many reports (2 or 3) should set up a meeting to find out why there is reports. If they can't explain why there is reports, then they could be evicted for not explain the situation.*
- *If 3x reports are made the family as a whole should be put in front of council and some volunteers to explain their behaviour and to find a way to stop the behaviour. If no agreement and follow-through is made they should be evicted.*
- *Eviction is outlined in a tenancy agreement and the common areas of eviction, violating the tenancy agreement, abandonment after 5 weeks without written notice to landolord, subletting without approval, ongoing insect infestation, ongoing police activity disturbing the peace, unauthorized alterations to a unit, creating unsafe living conditions that cause electrical or house fires, hoarding and storing hazardous materials that are a threat to environment or neighbors*

ADDITIONAL SURVEY COMMENTS:

- *I requested a copy of this survey and contacted many other community members who have not received the survey. Each of our families will be impacted by the actions of Tsawout by developing another housing policy, I have not seen a clear housing mandate for the community, I am not aware of who the housing committee is and am unsure who the lawyer is or background of experience offered to the community.*
- *The land code of Tsawout has no mechanism of enforcement. The links to a housing policy should consider the following:*
 - CMHC ~ Operating agreements*
 - FN Market Housing Fund*
 - Inventory of Tsawout Housing that includes:*
 - CMHC active operating agreements*
 - CMHC expired operating agreements*
 - Private Homes on Traditional Land Holdings*
 - Private Homes on Cp'd property j*
 - Rentals on Traditional Holidngs*
 - Rentals on Private Land (Leaseholdings)*
 - Rentals on Private Land (Buckshee Lease holdings)*
 - Individual Mortgages on Private Cp'd land (the band paying the mortgage)*
 - Individual Mortgages on band land (transferred from CP)*
 - Where is future housing for Tsawout members?*
 - What are housing options for Tsawout members?*
 - Available land for Tsawout members?*
 - Access to available band land for Tsawout members?*
 - Private homes on disputed property? Trailer parks, campgrounds, future developments etc....*
 - Insured homes in the community? What homes are insured? Who is responsible and why?*
 - What percentage of surveys to number of registered members is accurate input.*