

HOUSING BY-LAW

TEMAGAMI FIRST NATION

(passed at September 1, 1993 Community Meeting)

THE FOLLOWING HOUSING BY-LAW IS TO BE USED IN CONJUNCTION WITH THE HOUSING POLICY WHEN MAKING DECISIONS REGARDING HOUSING, AND IS TO PROTECT THE INTERESTS OF THE HOME OWNER/APPLICANT AND THE TEMAGAMI FIRST NATION SHOULD A DISPUTE/DISAGREEMENT ARISE REGARDING HOUSING. THIS BY-LAW APPLIES TO ALL HOUSING BUILT WITH THE HOUSING SUBSIDY RECEIVED THROUGH THE FIRST NATION FROM INDIAN AFFAIRS AND INCLUDES THOSE HOUSES (DUPLEXES) DESIGNATED AS APARTMENTS AND THOSE HOMES RENTED BY THE FIRST NATION AS TEMAGAMI FIRST NATION OWNED HOUSES.

1. House/home built with subsidy to be owners principal residence and not used as a seasonal/summer dwelling and must be lived in 2/3 of the year, with the exception of those who have a Certificate Of Possession.
2. Owner/applicant must have paid all arrears owing to the Temagami First Nation in order to qualify for housing subsidy.
3. Owner/applicant must start construction within 6 months after approval of his/her application.
4. Owner/applicant is responsible for consulting with the contractor, Health Inspector, Reserve Manager, Housing Inspector and a Housing Committee member to ensure proper placement of house, septic system, water line and hydro services.
5. Owner/applicant and contractor must provide a work plan outlining phases of construction, to facilitate inspection by Housing Inspector.
6. If the owner/applicant elects not to contribute to the labour in order to minimize construction costs, it is his/her responsibility to ensure that construction costs will not go over budget.
7. When a Temagami First Nation owned house is vacated the house reverts to First Nation possession. The person vacating cannot allow another person or family to move into the house. The Housing Committee and First Nation will decide on the next occupant.

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8. The owner/applicant must have proof of sufficient funds to complete the house according to the work plan submitted.
9. If a house is not completed within the time frame for construction or work plan submitted the Council may either:
  - a) grant an extension to the owner/applicant and contractor to complete construction;
  - b) take possession of the house and re-allot the house to another person on the Housing Priority List.
10. Owner/applicant must observe all Temagami First Nation By-Laws in effect, for example the Dog By-Law.
11. Should an owner/applicant owe the Temagami First Nation for construction costs over and above the subsidy (building material and/or labour) the First Nation will have the right to demand an immediate repayment of those funds. The owner/applicant will have a maximum of 30 days to come up with the excess dollars spent on the house. If the owner/applicant can not or will not repay the excess dollars spent, the Council will take possession of the house and allot it to another person.

If the owner/applicant owing the excess funds has moved into the house an eviction notice shall be given. Such notice is to be by registered letter. The onus is on the owner/applicant to remove all his/her personal belongings/furniture within a two (2) week time period. If all personal belongings/furniture are not removed, the Council will designate someone to remove them. Any damages to personal belongings/furniture will not be compensated for by the Council or the Temagami First Nation.

#### APARTMENTS, BAND RENTAL HOUSES AND NORTHVIEW CABIN:

1. All Rental Agreements must be signed and dated before occupancy.
2. First and last months rent must be paid before occupancy.

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3. Rent shall be due when payable according to the Rental Agreement.
4. For those persons already renting, new Rental Agreements which cover the increase in rental rates, will have to be signed and dated.

**EVICTIION NOTICES:**

Persons unable to pay rent will be given a period of time to come up with the full amount payable. The tenant is given 20 days to pay or after that time, if the tenant does not pay, the Temagami First Nation will go to court for an eviction notice. Eviction Notices will be applied for at the discretion of Council, allowing for cold months of the year, ie: winter.

Chief Holly Chagnon  
CHIEF

Barry M. Keirle  
2nd CHIEF

George Baker  
COUNCILLOR

Barbara M. Tustin  
COUNCILLOR