

**MOHAWKS OF THE
BAY OF QUINTE**

**Seniors Interest Free Mortgage
Policy and Procedures**

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DATES OF COMPLETION AND REVISIONS
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	DATE	MOTION #	SECTION
COMPILED	September 26, 2001		ALL
ACCEPTED	October 3, 2001	31	ALL
REVISED	October 17, 2001	28	Revised 3.b.
REVISED	August 30, 2013	2	ALL

PURPOSE

The following policy and procedures has been revised to reflect the growing need of our seniors, within the Tyendinaga community, to have suitable and affordable housing free of health and safety hazards. Seniors are defined as citizens who have attained the age of 55 years.

Seniors owning their home may be eligible to receive an interest free renovation loan up to a maximum of \$25,000 to assist their efforts in meeting adequate health and safety standards for their homes. The maximum amortization of the loans will be 25 years.

This Seniors Interest Free Mortgage loan is not intended to cover the cost of new construction or purchasing existing homes. Renovations must comply with the National Building Code as well as Mohawks of the Bay of Quinte policies and regulations, in addition to many other standards and regulations set forth by Health Canada, Canada's National Building Code, the Electrical Safety Authority (ESA), the Wood Energy Technical (WET) Guide, Technical Safety Standards Authority (TSSA) and any other building guidelines related to the project.

*For eligibility under this Policy, household income must not exceed the Statistics Canada Low Income Cut Offs (LICO) updated annually.
(APPENDIX 1)*

1.

ELIGIBILITY

- a. Applicant(s) must be registered member(s) of the Mohawks of the Bay of Quinte, and have attained the age of 55 years at the time of application.
- b. Applicant(s) must have proof of a registered Certificate of Possession (CP) for the property associated with the Seniors Renovation application. The applicant must either have a verified CP document or the CP must be registered on the Indian Land Registry System (ILRS).
- c. The home associated with the Seniors Interest Free Mortgage Application must be the primary residence of the Applicant(s).
- d. Total household income will be considered for the purposes of affordability.
- e. If the Applicant has an existing Seniors Interest Free Mortgage, he or she may be eligible to apply for additional funds to address other health and safety deficiencies on the same property. However, the total loan amount will not exceed the maximum Seniors Interest Free Mortgage amount.
- f. Applicant(s) total household income must not exceed the annual Statistics Canada Low Income Cut Offs (LICO). (APPENDIX 3)
- g. Applicant(s) must provide proof of current homeowner's insurance policy. Homeowner's insurance must be maintained and an up-to-date copy must be submitted to the MBQ Finance department on an annual basis by the Mortgageor(s).
- h. Applicant(s) must not hold any outstanding arrears with the Mohawks of the Bay of Quinte.

2.

CONDITIONS

- a. Applicant(s) must provide the Mohawks of the Bay of Quinte Housing Administration with a fully detailed and approved renovation plan with drawings, within 30 days of making the application.
- b. Applicants are responsible to arrange for inspections at each stage of the project when required. The inspection reports need to be submitted to the Mohawks of the Bay of Quinte Housing Administration in order for final disbursements of funds to be released.
- c. The Housing Inspector must approve renovation plans for additions and renovations that address any health and safety deficiencies. The Housing Inspector's report will indicate any further inspections required for the project.
- d. The location of additions must conform to the minimum settings. All distances are measured from the lot line to the nearest exterior wall:

- i. Front yard – 15 m (50 ft.)
 - ii. Rear yard – 7.5 m (25ft.)
 - iii. Side yards – 3 m (10ft.) plus 0.5 m (1ft. 8 in.) for each storey or partial storey above the first storey.
 - iv. Minimum 30 m (50 ft.) set back from high water mark.
- e. Before any digging for the project, the Applicant must contact 7th Gen Technologies for a fibre locate, Ontario One Call and if necessary, other relevant utilities.
- i. If no cable locate is requested and damage occurs, 7th Gen Technologies reserves the right to pursue the full cost of the repair from the Applicant responsible.
 - ii. 7th Gen Technologies contact number is 613.827.4817 or via email at 7thGen@mbq-tmt.org.
 - iii. Ontario One Call (On1call.com) contact number is 1.800.400.2255.
- f. Applicant(s) must comply with all Mohawks of the Bay of Quinte by-laws, policies and regulations, as well as all standards of the National Building Code, Health Canada specifications, Electrical Safety Authority (ESA) Code, Technical Safety Standards Authority (TSSA), and the expectations of the Wood Energy Technical Guide.
- g. The Mohawks of the Bay of Quinte Housing Administration will process the application in order of acceptance and according to funding availability. The application must be complete and must have the necessary paperwork attached to the application. Incomplete applications will not be processed. It is the responsibility of the Applicant(s) to ensure their application is complete.
- h. If approved, a new mortgage will be established for the property in question.
- i. At the time of signing the mortgage, a Land Transfer Form to the Mohawks of the Bay of Quinte must also be signed by the Mortgagors as security for the funds advanced.
- i. Absolutely no funds will be released without the signed Land Transfer Form.
- j. All Seniors Interest Free Mortgages must be repaid according to the repayment schedule outlined upon signing the mortgage agreement.

3.

APPLICATION PROCEDURES

- a. Applicant(s) must inquire with the Housing Accounts Manager at the Mohawks of the Bay of Quinte Housing Administration office.
- b. Applicant(s) must complete and submit the MBQ Seniors Interest Free Mortgage Application (APPENDIX 1), including all required documentation.
 - i. The list of required documents includes: MBQ Seniors Interest Free Mortgage Application, Verification of Income, and work required with quotes.

- ii. Other documentation may be required depending on the project specifics, for example, inspection reports; the MBQ Housing Officer will inform the Applicant of any additional documents required to process the application.
- c. The Applicant must meet with an MBQ Housing Officer to complete the MBQ Income and Expense Form to determine affordability and eligibility. (APPENDIX 2)
- d. The Mohawks of the Bay of Quinte Housing Administration will complete a Credit Reference Check on all Applicant(s). The credit check may determine the continuation of the application process. The Applicant(s)' credit history with the Mohawks of the Bay of Quinte will be taken into account as part of the credit reference check.
- e. The renovation plan must be consistent with the Applicants' approved Seniors Interest Free Mortgage limit. Applicant(s) are responsible for collecting and submitting quotes. The quotes will be used to justify the exact amount requested for the renovation loan.
- f. Once the Applicants' Seniors Interest Free loan limit is determined in accordance with this Policy, the Applicant's renovation application will be processed by the MBQ Housing Administration and approved by the Senior Director of Operations.
- g. After approval, the MBQ Housing Administration will forward all documentation to the MBQ Finance Department for processing. It is the responsibility of the Applicant(s) to sign the mortgage document and to establish a payment schedule. This will be verified by MBQ Housing Administration before the release of any funds through the Purchase Order System.
- h. Applicant(s) will be notified in writing if their application has been approved or declined.
- i. Applications not recommended for a Seniors Interest Free Mortgage approval will be summarized in a confidential written report and presented to the Tyendinaga Mohawk Council Portfolio Holder, with a copy of the report sent to the Applicant(s).

4.

FINANCING

- a. Seniors Interest Free Mortgages will remain interest free for the duration of the amortization, providing the property remains the primary residence for the Applicant(s).
- b. In the event that the applicant is no longer able to or chooses not to reside at the property for which the renovation loan was granted, the mortgage will be recalculated at 6% interest on the remaining balance. This transfer from interest free to interest bearing will happen within 30 days of verification that the property is no longer the primary residence of the applicant.
- c. In the event of an applicant's death, a claim will be made against the applicant's estate for the remaining balance of the mortgage. If the balance is not paid in full within six months after the date of death, it will then be recalculated to reflect a 6% per annum interest rate.

- d. Should the applicant sell the home for which the Seniors Renovation Loan was applied, then the mortgage must be paid off by the proceeds of the sale of the home.
- e. A suitable repayment schedule will be negotiated with the MBQ Accounts Receivable office according to affordability.
- f. The maximum amortization will be 25 years.
- g. The interest free mortgage will not be combined with any other Mohawks of the Bay of Quinte loan previously approved by the Tyendinaga Mohawk Council unless the applicant already has a Seniors Interest Free Mortgage.
- h. Any funding not used within one year from approval will automatically be applied to the Applicant's interest-free mortgage account.
- i. If the renovation costs are expected to exceed the maximum amount within this Policy, the successful applicant(s) must utilize their own resources before the funds from the Mohawks of the Bay of Quinte Housing Administration will be released. It is required that the applicant(s) provide banking information to verify alternative financial resources.
- j. Financial advances will not be issued to the Applicant(s). Reimbursements may be considered with receipts.
- k. Financing is available for construction materials (lumber, screws, fasteners, cable, flooring etc) and household fixtures (vanity, cabinets, etc) as outlined in the project work plan. Financing is *not* to be used to purchase tools or equipment necessary to conduct the work involved in renovations.
- l. Purchase Orders submitted for approval and payment for all expenditures must be obtained from the Mohawks of the Bay of Quinte Housing Administration. Invoices must have Purchase Order number included. Invoices can only be signed by the Applicant(s) before the invoice is paid.

5.

COMPLIANCE

- a. Senior Interest Free Mortgage applications will be declined if the applicant(s) fails to observe or comply with any of the terms, conditions or requirements set out in this Policy. The Mohawks of the Bay of Quinte Housing Administration reserves the right to oversee all renovations.

6.

APPEAL PROCESS

In the event that an Applicant(s) wishes to appeal a decision made under this policy:

- a. The Applicant(s) are encouraged to request a meeting with the Mohawks of the Bay of Quinte Housing Administration to discuss any decision relating to their application.
- b. If the Applicant(s) are not satisfied with the decision of the MBQ Housing Administration, the Applicant(s) are encouraged to request a meeting with the MBQ Chief Administrative Officer and representatives of the MBQ Housing Administration.
- c. If the Applicant(s) are not satisfied with the outcome of this meeting, they may choose to submit a Notice of Appeal to the Appeal Board.
- d. The Appeal Board shall consist of **Tyendinaga Mohawk Council**.
- e. Appeal Notices must be in writing and submitted within thirty (30) business days of the initial notification of the MBQ Chief Administrative Officer's decision. Copies of the Appeal Notice will be sent to all the members of the Appeal Board.
- f. The Appeal Board shall review the Appellant's position and circumstance as presented in the Notice of Appeal. The Appeal Board will also give consideration to the MBQ Housing Administration decision and decision making process.
- g. The Appeal Board will acknowledge the Appeal Notice within twenty (20) business days and will, if necessary, request a meeting and notify the Appellant of the date, time and place of the meeting.
- h. The Appeal Board will make their decision in private and render their decision in writing to the Appellant within ten (10) business days of the decision.
- i. All decisions of the Appeal Board are final. However, should the circumstances change; the Appellant will be notified that they may re-apply to the program or service at the MBQ Housing Administration office.

7.

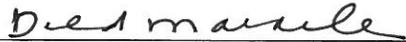
AMENDMENTS

- a. The Mohawks of the Bay of Quinte Housing Administration and the Tyendinaga Mohawk Council reserve the right to amend this policy to adhere to the changing needs of the membership of the Mohawks of the Bay of Quinte.

8.

ACCEPTANCE

- a. Duly accepted by quorum of the Tyendinaga Mohawk Council this 17th day of October, 2001.
- b. Revisions were duly accepted by a quorum of the Tyendinaga Mohawk Council this 9th day of January 2013.
- c. Revisions duly accepted by a quorum of the Tyendinaga Mohawk Council this 30th day of August, 2013



Chief R. Donald Maracle

5. Renovation Information

Total Amount of Loan Requested \$ _____

Description of work to be completed

Please note ALL estimates must be attached with application to support the amount and the type of renovations to be completed.

6. Financial Information for Applicant, Co-Applicant and ALL other Household Members

Name	Income Source	Total Income
		\$
		\$
		\$
		\$
		\$
		\$
Total of ALL Household Income		\$

Applicant(s) required to complete a detailed Income and Expense Report with Housing upon Application submission (Appendix A of the Senior Interest Free Renovation Loan Policy)

Credit References

Name	Phone No.
Name	Phone No.

Credit Reference Check: Poor Good Excellent

DECLARATION

I give my consent and authorization to the Mohawks of the Bay of Quinte Housing Administration:

1. To make any inquiries necessary to verify the information given in this Form and I authorize any person, corporation or any social agency having knowledge of any such required information to release the information to the Mohawks of the Bay of Quinte Housing Administration. I agree to provide any supporting material the Mohawks of the Bay of Quinte Housing Administration may require.
2. I solemnly swear that all information provided is true and I understand that providing any false information will void my application.

Applicant

Date

Co-Applicant

Date

Witness

Date

Monthly Income and Expense Statement

Must attach all verification (i.e. pay stubs, cheque stubs)

Section A - Income

Name:

Next Salary/Wages	Other pension (i.e.WSIB)
Spouses net income:	Alimony/ Child Support:
Self Employ. Income:	Child Tax Benefit:
Canada Pension:	Rental Income:
Old Age Security:	Any other (specify):
Disability Pension:	
Employment Insurance:	
Total Income in Section A:	
\$0.00	

Section B – Expenses

Rent:	Food outside the home:
Mortgage:	Toiletries:
Heating:	Bank Loans:
Hydro:	Credit Cards:
Water & Sewer:	Gasoline:
Insurance – Vehicle:	Vehicle Repair/Maintenance:
Insurance – Home/tenant:	Child Care Costs:
Insurance – Life:	Household Furnishings:
Groceries:	Any other (specify):
Total Expenses in Section B:	
\$0.00	

Section C – Miscellaneous Expenses

Household repairs/maintenance:	Cigarettes/Tobacco:
Telephone/ Cell Phone:	Medical/Dental Expenses:
Internet Services:	Tuition Fees/ Books:
Satellite TV/Cable service:	Recreation/ Entertainment:
Laundry:	Vacations/ Gifts:
Charities/ Donations:	Children’s Allowances:
Newspaper/Magazines:	Clothing/ Footwear:
Alcohol:	Any Other (specify):
Total Misc. Expenses in Section C:	
\$0.00	
Total of Section B + C:	
\$0.00	
Section A – Total of Section B & C = Excess/Deficiency:	
\$0.00	

This statement/budget of income and expenses for the month of _____ 20____ is to the best of my knowledge and believed to be a full, true and complete statement of my current monthly earnings and expenses of myself, my spouse and my dependents.

Applicant's Signature:

Spouse's Signature:

Statement Completed By: _____ Date: _____

APPENDIX 3

Statistics Canada Low Income Cut Offs (LICO), 2009, before tax (current dollars):

SIZE OF FAMILY UNIT		LEAP Emergency Financial Assistance				
		COMMUNITY SIZE				
		Rural areas	Less than 30,000	30,000 to 99,999	100,000 to 499,999	500,000 and over
1 person	LICO	\$15,302	\$17,409	\$19,026	\$19,144	\$22,229
	+15%	\$17,597	\$20,020	\$21,880	\$22,016	\$25,563
2 persons	LICO	\$19,050	\$21,672	\$23,685	\$23,832	\$27,674
	+15%	\$21,908	\$24,923	\$27,238	\$27,407	\$31,825
3 persons	LICO	\$23,419	\$26,643	\$29,118	\$29,299	\$34,022
	+15%	\$26,932	\$30,639	\$33,486	\$33,694	\$39,125
4 persons	LICO	\$28,435	\$32,349	\$35,354	\$35,573	\$41,307
	+15%	\$32,700	\$37,201	\$40,657	\$40,909	\$47,503
5 persons	LICO	\$32,250	\$36,690	\$40,097	\$40,345	\$46,850
	+15%	\$37,088	\$42,194	\$46,112	\$46,397	\$53,878
6 persons	LICO	\$36,374	\$41,380	\$45,223	\$45,504	\$52,838
	+15%	\$41,830	\$47,587	\$52,006	\$52,330	\$60,764
7+ persons	LICO	\$40,496	\$46,071	\$50,350	\$50,661	\$58,827
	+15%	\$46,570	\$52,982	\$57,903	\$58,260	\$67,651

Source: <http://www.statcan.gc.ca/pub/75f0002m/2010005/tbl/tbl02-eng.htm>

APPENDIX 4

HOUSING INSPECTION GUIDE

Applicants must comply with the housing inspection process outlined below.

Applicant(s) are responsible for the entire Housing Inspection Process, including the period of the project where the Applicants' own funds are being used to cover the cost overrun as described in Section 4.d. of this policy.

MBQ funds will be withheld until MBQ Housing Administration receives the Housing Inspection Officer's Report at each stage outline below.

Housing Inspection Process:

HOUSING INSPECTIONS REQUIRED:		
1	Plans Review	Ensure details of proposed additions meet with code requirements.
Physical on-site inspections:		
2	Site	Ensure property is suitable for building (not prone to flooding, etc). House additions should be staked out with proper setbacks according to policy.
3	Footing	<u>BEFORE CONCRETE</u> : To ensure footings are suitably sized and constructed to support loads.
4	Foundation	<u>PRIOR BACK FILL</u> : Checking for damp-proofing, drainage tile, and drainage layer etc.
5	Framing	Checking and verifying spans, spacing, sizes, load distribution, supports and framing details etc.
6	Insulation	Checking proper installation, consistency, levels, air sealing of all penetrations and vapour barrier installation, sealing etc.
7	Final	Verifying finished house addition is built according to plans and that all safety Requirements are met (handrails, guards, covers, smoke detectors etc.)

If the Housing Inspection Officer's report identifies any deficiencies, the contractor and the Applicant will be notified immediately. The Applicant(s) must present a plan to address all deficiencies or concerns identified by the Housing Inspection Officer and this plan must be implemented prior to the release of any MBQ funds.