

REGULATION TO ESTABLISH SUPPORTIVE HOUSING FOR FAMILIES IN NAIN

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Authority

1. This Regulation is made by the Nunatsiavut Executive Council acting on the advice of the Minister of Health and Social Development under subsection 11(1) of the *Housing Initiatives (Hopedale And Nain) Act*.

Short Title

2. This Regulation may be referred to as the *Nain Families Supportive Housing Regulation*.

Interpretation

3.

- (1) In this Regulation:

“Act” means the *Housing Initiatives (Hopedale And Nain) Act*;

“Beneficiary” means an individual registered on the Register of Beneficiaries of the Labrador Inuit Land Claims Agreement;

“Building” means the Nunatsiavut Government building at civic number 23 AlaKatik Road in Nain;

“Committee” means the Nain Supportive Family Housing Program Committee established under subsection 20(1) of this Regulation;

“CSSD” means the Department of Children, Seniors and Social Development of the Government of Newfoundland and Labrador;

“Family” means a family that includes two or more Beneficiaries;

“Nain” means the Inuit Community of Nain as established under the Labrador Inuit Land Claims Agreement;

“Minister” means the Minister of Health and Social Development of the Nunatsiavut Government;

“participant” means a Family that has been allocated a Unit and has entered into a lease agreement with the Minister with respect to that Unit;

“Program” means the program to provide supportive housing for families in Nain as described in section 6 of this Regulation;

“Unit” means a residential unit in the Building; and

“waiting list” means the waiting list of eligible Families that have applied to participate in the Program that is maintained by the Committee pursuant to subsection 15(1) of this Regulation.

- (2) Words and phrases not defined in this Regulation have the meaning assigned to them in the Act.

Building to be used for supportive family housing

4. The Building will be used and administered by the Minister to provide residential accommodation for Families participating in the Program.

Occupancy of Units

5. Only those Families who have:
- (a) been admitted to the Program;
 - (b) been allocated a Unit by the Committee; and
 - (c) entered into a lease agreement with the Minister

may occupy Units in the Building.

Nain Families Supportive Housing Program

6.

- (1) For purposes of this Regulation the Nain Families Supportive Housing Program consists of the supply of Units to Families that reside in or are connected to Nain and are:
 - (a) receiving a service or participating in a program under the Nunatsiavut Government's Family Connections Program or any other program that is provided by the Nunatsiavut Government with funding or support under the federal government's Family Violence Initiative; or
 - (b) being provided with any service under or in relation to the *Children and Youth Care and Protection Act*.
- (2) For purposes of subsection (1) and subsection 8(b) a Family that does not live in Nain is deemed to be connected to Nain where the Family originated from Nain and left the community:
 - (a) for reasons related to Family violence or the safety or well being of the Family or any of its members; or
 - (b) to escape, minimize, avoid or prevent the exposure of a child of the Family to any of the factors requiring protective intervention as defined in section 10 of the *Children and Youth Care and Protection Act*; and
 - (c) would return to live in Nain if the applicable circumstances under clause (a) or (b) were avoidable.

Purpose of the Program

7. The purpose of the Program is to supply housing to Nain Families that are experiencing Family violence or that are at risk of having one or more children taken into the care of CSSD or that have had a child or children taken into care of CSSD in circumstances where access to appropriate Family housing would be one of the supports necessary or helpful in preventing Family violence, avoiding CSSD intervention, preventing children being taken into the care of CSSD or maintaining or restoring the integrity and health of the Family.

Eligibility criteria for the Program

8. In order to be eligible to participate in the Program a Family must:
 - (a) provide written proof that the Family or one of its members is receiving or being provided with a service referred to in clause 6(1)(a) or (b);
 - (b) reside in or be connected to Nain;

- (c) agree to limit occupancy of a Unit that may be assigned to the family to 2 adults and 2 children under the age of 16 years for a 2 bedroom Unit and 2 adults and up to 4 children, depending on their ages, for a 3 bedroom Unit;
- (d) provide full details of all Family members who would occupy a Unit and proposed room-sharing arrangements;
- (e) provide for each adult who will occupy the assigned Unit a written undertaking not to use alcohol or illegal drugs and not to smoke in the Building;
- (f) be willing to engage with the Nunatsiavut Government's Family Connections Program to develop and implement a Family Connections Support Plan;
- (g) provide consent for information sharing between CSSD and the Nunatsiavut Government's Department of Health and Social Development with respect to all members of the Family;
- (h) where children are currently in the care of CSSD, provide a current, agreed- upon, reunification plan between the parent(s) and CSSD for reunification within 12 months;
- (i) possess the means or physical ability to maintain a Unit;
- (j) have an identified source of income and demonstrate an ability to pay a damage deposit and make the required monthly rental payments; and
- (k) be willing to make arrangements for or authorize monthly rental payments.

Rental

9.

- (1) The rental payable for a Unit is \$550 per month including heat and light for a 2 bedroom Unit and \$600 per month including heat and light for a 3 bedroom Unit.
- (2) The damage deposit is 75% of one month's rent but the Minister may agree to a payment plan on a case-by-case basis.
- (3) The rental shall be reviewed annually by the Minister and may be varied annually.

Application to participate in the Program

10.

- (1) A Family that wishes to participate in the Program must
 - (a) complete and submit an application on the form annexed to this Regulation as Schedule A ;

- (b) meet the Program eligibility criteria;
 - (c) supply any additional information that may be requested by the Committee for purposes of deciding:
 - (i) the Family's eligibility; or
 - (ii) whether to allocate a Unit to the Family; and
 - (d) agree to participate in the Monitoring Program under section 7 of the Act as applicable to Units and the Building.
- (2) An application must be submitted to the Department of Health and Social Development as directed in a notice under subsection (4).
 - (3) The Minister will invite applications to participate in the Program by giving public notice in Nain that applications may be made.
 - (4) A notice shall state where application forms may be obtained, where completed applications are to be submitted and the closing date for receipt of initial applications, which shall be no less than two weeks after issuance of the notice.
 - (5) Subject to subsection (4), notice may be given by whatever method, in whatever form and contain whatever information the Minister considers appropriate.
 - (6) After the closing date for receipt of initial applications, applications may be made on a continuing basis but those applications will be held on the waiting list to be evaluated together with all other applications when a Unit becomes vacant.

Privacy of Information

11. Without limiting a consent provided under subsection 8(g), information contained in an application or provided in connection with an application is confidential and shall not be disclosed or released to any person other than a person who has a need to know the information:
 - (a) in relation to a Committee decision about whether the applicant is eligible for the Program;
 - (b) in relation to a Committee decision about whether to allocate a Unit to a Family; or
 - (c) for purposes of administering the Program including for purposes of Committee decisions respecting ongoing eligibility of a participant.

Applications to be considered by the Committee

12.

- (1) The Minister will, by notice or otherwise, direct all applications for participation in the Program to the Committee or a member of the Committee.
- (2) Without limiting the functions of the Committee under subsection 20(4) the Committee shall:
 - (a) determine whether Families are eligible to participate in the Program; and
 - (b) allocate Units to eligible Families.

Criteria for allocation of Units to eligible Families

13.

- (1) The Committee shall, in its sole discretion, allocate the Units to eligible Families having regard to the purpose of the Program as set out in section 7, the eligibility criteria for the Program set out in section 8, information supplied by or with respect to the Family and whether the Family:
 - (a) is homeless or inadequately housed; or
 - (b) is living in overcrowded or substandard housing; or
 - (c) is living in a home which puts children at risk of requiring protective intervention as defined in section 10 of the *Children and Youth Care and Protection Act*; or
 - (d) had to leave a home in Nain due to family violence or circumstances putting children at risk; and
 - (e) is experiencing family problems attributable to the lack of adequate or appropriate housing in Nain that are likely to be significantly reduced if the Family were to obtain adequate and appropriate housing in Nain.
- (2) In considering whether a Family is living in overcrowded or inadequate housing the Committee shall have regard to the National Occupancy Standard which identifies a home as 'suitable' when there is a separate bedroom for (i) each cohabiting adult couple, (ii) each unattached household member over the age of 18, (iii) each same-sex pair of children under 18, and (iv) each additional boy or girl understanding that opposite sex children under the age of 5 may share a bedroom.

Committee decisions

14.

- (1) Once the Committee has made all initial eligibility and allocation decisions it shall advise all Families of its decisions with respect to their applications and give an explanation for the decisions.
- (2) The decisions referred to in subsection (1) do not take effect for 14 days or until any appeals with respect to the decisions have been completed in accordance with the Act.

Waiting list and vacancies

15.

- (1) The Committee shall, on a continuous basis, receive applications and maintain a waiting list of eligible Families that have applied to participate in the Program.
- (2) If an eligible Family that is allocated a Unit does not accept the Unit on the terms and subject to the conditions on which it is offered, the Committee will allocate the Unit to an eligible Family on the waiting list following a review of all eligible Families on the list having regard to the criteria in section 13 and in accordance with section 14.
- (3) When a Unit becomes vacant the Committee may allocate the Unit to a Family on the waiting list in accordance with subsection (2).
- (4) The Committee shall keep the waiting list confidential in accordance with section 11 of this Regulation but may, with the consent of the Minister, release the waiting list to a member of the Executive Council, the Ordinary Member for Nain or the AngajukKâk for Nain.
- (5) A waiting list provided under subsection (4) shall be comprised solely of the names of eligible Families waiting for allocation of a Unit.

Review of Committee Decisions

16.

- (1) A person who is directly affected and aggrieved by an eligibility decision or an allocation decision made by the Committee may request a review of the decision in accordance with section 10 of the Act.
- (2) The Minister will prescribe a form to be used by persons who wish to request a review of a Committee decision.
- (3) A request for a review of a Committee Decision shall be addressed to the Director of Legal Services.
- (3) The Director of Legal Services shall advise a person who requests a review of a Committee decision of the name of the Tribunal forthwith upon appointment of the Tribunal.

Requirements for going into possession of an allocated Unit

17.

- (1) When the Committee allocates a Unit to a Family it shall, as soon as reasonably possible after its decision comes into effect, provide the Family with a written offer that identifies the Unit, describes the applicable Monitoring Program and sets out in writing the terms and

conditions on which the Unit is offered including those associated with the Monitoring Program.

- (2) In order to go into possession of a Unit the Family to which it is offered must:
- (a) agree in writing to participate and cooperate in the Monitoring Program;
 - (b) provide written acceptance of the offer and the terms and conditions without exception or reservation; and
 - (c) without limiting sections 18 and 19 of this Regulation, enter into a residential tenancies lease with the Minister in a form satisfactory to the Minister.

Program lease agreements and termination

18. The terms of a lease agreement for a Unit will include a requirement that:
- (a) the Family is at all times eligible to participate in the Program;
 - (b) the Family comply with applicable requirements of the Monitoring Program;
 - (c) the Family comply with rules made by the Minister pursuant to section 5 of the Act and the rules referred to in section 8 of the Act; and
 - (d) the lease may be terminated by the Minister on one month's written notice:
 - (i) if any individual other than an individual listed on the application form or approved by the Committee resides or stays in the Unit; or
 - (iii) in the event of a breach of any rule referred to in clause (b); or
 - (iii) the Family is determined by the Committee to be ineligible to participate in the Program.

Participants and termination of participation

- 19.
- (1) A Family shall be a program participant for the purposes of the Act and be entitled to possession of the Unit allocated to the Family upon execution of the applicable lease agreement by the Minister and subject to the terms of the lease and the Family's continuing eligibility to participate in the Program.
- (2) Despite anything in subsection (1) or sections 17 and 18 to the contrary, a participant's eligibility to rent a Unit may, upon reasonable written notice to the participant, be reviewed by the Committee from time to time and may be revoked by the Committee:
- (a) if the Committee determines the participant is no longer eligible to participate in the Program;

- (b) in circumstances referred to in subsection 8(h), where the Committee determines that the parent(s) have failed to implement the agreed reunification plan or family reunification has not been achieved within 12 months; or
 - (c) if children within the Family have been removed from the Family by CSSD and, within 12 months from the date of removal, the parent(s) have not entered a family reunification plan with CSSD and demonstrated significant progress toward Family reunification.
- (3) A committee decision under subsection (2) shall be delivered in writing to the participant and the Minister and does not come into effect for a period of 14 days during which time the participant may request a review of the decision in accordance with section 16 of this Regulation and section 10 of the Act.

Nain Supportive Family Housing Program Committee

20.

- (1) There shall be a Nain Supportive Family Housing Program Committee to oversee the administration of the Units and the Program.
- (2) The members of the Committee shall be:
 - (a) the Deputy Minister of the Nunatsiavut Department of Health and Social Development who shall be the Chair of the Committee;
 - (b) the Deputy Minister of the Department of Nunatsiavut Affairs;
 - (c) the Family Connections Worker of the Nunatsiavut Department of Health and Social Development;
 - (d) the Family Connections Coordinator of the Nunatsiavut Department of Health and Social Development;
 - (e) the Director of Policy and Planning, Nunatsiavut Secretariat; and
 - (f) the person appointed from time to time under subsection (3).
- (3) The Minister shall invite the Department of CSSD to appoint a Social Worker or manager to the Committee.
- (4) The roles and responsibilities of the Committee shall be to:
 - (a) publish information about the Program;

- (b) receive applications for admission to the Program;
 - (c) determining eligibility for participation in the Program including reviewing ongoing eligibility of participants;
 - (d) allocate Units to eligible Families;
 - (e) recommend annual rental structures and rates and arrangements to secure the payment of rent;
 - (f) remove participants from the Program for cause or if the participant is no longer eligible to participate in the Program;
 - (g) establish Committee rules and procedures; and
 - (h) carry out such other functions and duties as may be assigned by this Regulation or by the Minister from time to time.
- (5) The Deputy Minister of the Department of Health and Social Development, Family Connections Worker , Family Connections Coordinator and person appointed from time to time under subsection (3) shall constitute a subcommittee for purposes of carrying out the functions set out in clauses (b), (c), (d) and (f) of subsection (4) and has discretion to consult with others in determining eligibility, allocating Units and removing participants from the Program under clauses (4) (b), (c), (d) and (f).
- (6) The Committee's schedule of meetings will be flexible with more frequent meetings as initial applications are processed and allocations are made and when vacancies occur or issues arise with tenants but a minimum of one meeting shall be held every six months.
- (7) Minutes will be recorded by a designated person (rotated among Committee members) and distributed to all Committee members.
- (8) Minutes and information held by the Committee shall be kept confidential in accordance with the requirements of section 11 of this Regulation.

Effective Date

21. This Regulation shall be deemed for all purposes to have come into effect on the 1st day of January 2020.

(B) Is there a risk that your current dependents will move to kinship, foster care or other living arrangement if you do not secure a housing unit?

If you are involved with Child Protection Services are you willing to sign 'Consent for Release of Information'? Yes/No

Does anyone in your household smoke? YES/NO

Does anyone in your household consume alcohol? YES/NO

Does anyone in your household own a pet? YES/NO

If YES, type of pet(s)? How many?

Does anyone in your household have a disability or mobility issue? YES/NO

If YES, please provide additional information:

Does anyone in your household require home support services? YES/NO

If YES, please provide additional information:

Is anyone in the household expecting a child (affects bedroom requirements)? YES/NO

Court Related Matters

(A) Is there any court matters pending for applicant and/or family member listed above?
If YES, please provide additional information:

(B) Are there any court ordered conditions for you and/or a family member listed above?
If so, details of the court ordered condition(s).

Financial

At present, what is your primary source of income? (Please check off what applies to you)

- Employment (Please indicate Employer: _____)
- Student Funding
- Income Support
- Employment Insurance
- Disability Benefits
- Other

What is the gross annual income of your household (include your income and the income of others living in the household)? _____

*Please note that your application must be accompanied by proof of annual income (as noted on Line 150 of your 2015 Notice of Assessment from Canada Revenue Agency)

Current Housing

What are your current accommodations? (Please check off what applies to you)

- Own Home
- Boarding House
- Transition House

<input type="checkbox"/> Shelter
<input type="checkbox"/> Rented Apartment
<input type="checkbox"/> Living with family/friends

Signature of Applicant: _____

Signature of Co-Applicant: _____

Date: _____

Application Deadline - to be considered

Please send completed application to: michelle.kinney@nunatsiavut.com or Fax (709) 896-9751