

MOHAWKS OF THE BAY OF QUINTE

New Construction Policy and Procedures

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DATES OF COMPLETION AND REVISION

	DATE	MOTION #	SECTION
COMPILED	June 26, 1990		All
REVISED	February 25, 1992	1	
REVISED	December 18, 1995	4	Set up of policy, intro., 1.b., 3.a., 5.a., b., c.
REVISED	March 26, 1997	44	Intro., 2.d., 5, 6.a., 7.b., 10.a.
REVISED	April 29, 1999	10	Changed Loan Amount
REVISED	September 28, 1999		
REVISED	April 3, 2003	1	Changed Loan Amount
REVISED	March 2004		Changed Loan Amount
REVISED	April 25, 2005	1	Changed Loan Amount
REVISED	October 19, 2005	19	Ii, 1.b., 5.c.
REVISED	June 14, 2006	2	Added 4.b.
REVISED	June 20, 2006	17	Intro., 2.c., d.
REVISED	May 9, 2008		ALL
REVISED	September 28, 2012	2	Purpose, 1.a., 1.c., 2.a.ii., 2.a.iii., 2.a.iii, 2.a.iv, 3.a.,3.b.iv, 3.c., 4.b., 4.f., 5.b., 5.c., 6.b., 8 Appeals Process, 10, APPENDIX B, APPENDIX C, APPENDIX D, APPENDIX E.
REVISED	August 30, 2013	1	Approved for Signature.

PURPOSE

The primary purpose of this New Construction Policy is to provide guidelines for registered members of the Mohawks of the Bay of Quinte who wish to build their own home on the Tyendinaga Mohawk Territory.

The Mohawks of the Bay of Quinte and the Bank of Montreal offer mortgage programs to finance for the construction of a new home or for the purchase of an existing home. The Mohawks of the Bay of Quinte offer amortization periods of up to 35 years at a fixed interest rate of 6% per annum, for the duration of the mortgage. The Bank of Montreal offers amortization periods of up to 25 years and has a five-year fixed interest rate that fluctuates with the market. Both financing options are open, and can be paid off at any time.

For a new construction or for the purchase an existing home, the Mohawks of the Bay of Quinte require a 1% deposit on the total amount of the Applicant's financing that is due upon accepting a mortgage offer.

For Bank of Montreal (BMO) financing, BMO requires up to a 25% down payment depending on mortgage amount. The down payment requirements are as follows for amounts:

- *Less than \$75,000, a 5% down payment is required;*
- *Between \$75,000 to \$100,000, a 10% down payment is required; and,*
- *For \$100,000 to \$125,000, a 25% down payment is required.*

BMO also requires the down payment at the time of mortgage acceptance.

Each financing option requires that the Applicant show proof of available financial resources and they must expend their financial resources for any amount above the allotted mortgage limit, prior to any financial disbursement of the mortgage loan.

All mortgages must be repaid according to the repayment schedule outlined when signing the mortgage agreement.

This policy was developed to assist registered members of the Mohawks of the Bay of Quinte in the construction of their new home and must be strictly adhered to when building a new home on the Tyendinaga Mohawk Territory.

This policy also references the Mortgage Application Policy, which precedes this policy in the natural order of financing and constructing.

1.

ELIGIBILITY

- a. Applicant(s) must be registered member(s) of the Mohawks of the Bay of Quinte (MBQ) who wish to reside on the Tyendinaga Mohawk Territory.
- b. Total household income will be considered for affordability purposes.
- c. Applicant(s) must have proof of a registered Certificate of Possession (CP) for the property on which the Applicant(s) intends to build. The Applicant(s) must either have a verified CP document or the CP must be registered on the Indian Land Registry System (ILRS).
- d. The property must be the Applicants' primary place of residence.
- e. Applicant(s) must have been approved for a mortgage loan through the Mortgage Application Policy of the Mohawks of the Bay of Quinte Housing Administration or through the Bank of Montreal On-Reserve Housing Loan Program.
- f. Applicant(s) must also fully comply with the MBQ Mortgage Application Policy and Procedures.

2.

CONDITIONS

- a. Applicant(s) must provide the Mohawks of the Bay of Quinte Housing Administration formal notice of the following, within 30 days of mortgage approval:
 - i. before digging for culvert and well, the Applicant must contact 7th Gen Technologies for a fibre locate, Ontario One Call and if necessary, other relevant utilities.
 - a. 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.
 - b. 7th Gen Technologies contact number is 613.827.4817 or via email at 7thGen@mbq-tmt.org.
 - c. Ontario One Call (On1call.com) contact number is 1.800.400.2255.
 - ii. report on the supply of water on the property that includes record of flow rate of well (minimum of 3 gallons per minute) or a record of alternate water supply available to the property;
 - iii. an environmental screening report from the Environmental Services Officer at the Mohawks of the Bay of Quinte Infrastructure Department;
 - iv. a site inspection report (written) from Health Canada of the proposed residential lot, which includes a test hole inspection and draft plot plan. To set up this inspection, Applicant(s) must contact the MBQ Environmental Community Health Representative, Infrastructure Department.

- v. the Applicant(s) is responsible for initiating the Housing Inspection Process (APPENDIX B), outlined in this policy in Section 3.e. The first inspection is a site inspection and the report must be favourable.
 - a. If the report is unfavourable, the Applicant(s) must present a plan to address all the deficiencies or concerns identified by the Housing Inspection Officer and this plan must be implemented prior to the release of any funds.
 - vi. the building site must have a minimum of 6,500 square feet for water and sewer serviced lots and for partially or unserved lots a minimum of 20,000 square feet of area.
 - vii. a copy of the original detailed house plan, including electrical and mechanical drawings with signed approval from the Housing Inspection Officer.
 - viii. a detailed Construction Cost Sheet (APPENDIX C) must be submitted for the complete house.
 - ix. proof of passable access to the building site, or a plan for the installation of a culvert. (Please refer to the MBQ Residential Culvert Application Policy and Procedures)
 - x. proof of builders risk insurance. Please note that you must obtain builders risk insurance BEFORE making any changes to the proposed lot. This includes digging for your foundation.
- b. If after the 30 days the Applicant(s) do not meet all of the requirements set out in Section 2.a., the Housing Accounts Manager will contact the Applicant(s) to set up a housing review meeting. If after 60 days the requirements have not been met, the financial allotment will be reallocated.
 - c. Alterations that will increase the construction costs listed in the detailed Construction Cost Sheet will NOT be allowed unless the Applicant(s) provides proof that there are resources and/or funds in place to cover any increased costs, or,
 - i. The Applicant provides a revised Construction Cost Sheet that includes decreased costs, from original projections, in other areas of construction.
 - d. Applicant(s) must adhere to the house plans that were approved by the Housing Inspection Officer and the Mohawks of the Bay of Quinte Housing Administration.

3.

CONSTRUCTION

- a. All building construction must comply with Mohawks of the Bay of Quinte policies and regulations, standards of the National Building Code, Health Canada specifications, Electrical Safety Authority

Code (ESA), Technical Safety Standards Authority (TSSA), and the expectations of the Wood Energy Technical Guide.

- b. Since fibre and utility locates are only valid for 30 days, Applicants must contact 7th Gen Technologies and Ontario One Call, if the project requires more digging and the initial locates are expired.
- c. Location of the house 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 (25 ft.).
 - iii. side yards: 3 m (10 ft.) plus .5 m (1 ft. 8 in.) for each storey or partial storey above the first storey.
 - iv. minimum 30m set back from high water mark.
- d. Factory-built (modular) houses and site-built houses: the New Construction Policy applies to site-built houses and factory-built house. In addition, factory and site-built houses must meet all regulated Canadian Standards Association guidelines.
- e. As indicated in Section 2.v., the Applicant is responsible to initiate and fully comply with the Housing Inspection Process as outlined in APPENDIX B. Further, 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. At each stage of completion, funding will not be released until the Housing Inspection Officer's report is received by the MBQ Housing Administration.
- f. Construction must be inspected by the Housing Inspection Officer at a minimum six times, which includes the initial site inspection, as outlined in Section 3.g., below. The Housing Inspection Officer will submit a copy of the inspection report to the Mohawks of the Bay of Quinte Housing Administration office. This inspection report will be kept in the Applicant(s) file and copy will be forwarded to the Applicant.
 - i. If the report is unfavourable, the Applicant(s) must present a plan to address all the deficiencies or concerns identified by the Housing Inspection Officer and this plan must be implemented prior to the release of any funds
- g. Applicants are responsible for setting up all inspections at each stage of the construction project. Inspections will occur as follows (based on Appendices A and as outlined in APPENDIX B):
 - i. housing plans
 - ii. site (lot)
 - iii. footing forms before concrete
 - iv. basement before backfill
 - v. framing
 - vi. insulation/vapour barrier

vii. final

- h. All septic systems must meet Health Canada and Mohawks of the Bay of Quinte regulations and standards, arranged through the Environmental Community Health Representative, prior to the backfilling of the septic system site.
- i. Rough grading of the building site to provide adequate drainage away from the dwelling must be completed in accordance to the requirements as defined by the National Building Code.

4.

FINANCING

- a. The Mohawks of the Bay of Quinte will provide a repayable mortgage loan at six per cent (6%) interest per annum to an allotted maximum as determined by the Mohawks of the Bay of Quinte Housing Administration and the Tyendinaga Mohawk Council.
- b. The Applicant(s) or Mortgagor(s) have an option of financing their mortgage for an amortization period of up to 35 years.
- c. Financing for other costs not associated with the construction of the house, for example service installation like hydro, gas and phone, will only be considered after the final inspection. Once the Housing Inspection Officer reports no deficiencies and there is funding still available in the Applicant(s) allotment; funds may be released for service installations.
- d. If the detailed construction costs are expected to exceed the maximum loan amount, the successful Applicant(s) must utilize their own financial resources BEFORE the funds from the Mohawks of the Bay of Quinte Housing Administration will be released. Applicant(s) are required to provide receipts as proof of payment for cost overrun.
- e. Financial advances will not be issued. Reimbursements may be considered with receipts.
- f. Financing is available for construction materials (lumber, screws, fasteners, cable, flooring etc) and household fixtures (vanity, cabinets, etc) as outlined on the Construction Cost Sheet. Financing is *not* to be used to purchase tools or equipment necessary to conduct the work involved in building or renovations.
- g. 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.
- h. Funding will not be released until all necessary documentation is complete and submitted to the Mohawks of the Bay of Quinte Housing Administration office.

5.

**TERMS OF MORTGAGE
REPAYMENT**

- a. The maximum amortization period of the mortgage offered is 35 years. Applicant(s) may choose their amortization period at any set number of years up to 35 years. The Mortgage Loans are open and can be paid off at any time.
- b. Payment on the mortgage will commence six (6) months after the mortgage document is signed by the Applicant(s) / Mortgagor(s).
- c. 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 Mortgagor(s) as security for the funds advanced in case of default.

6.

OCCUPANCY

- a. Occupancy will not be permitted until a final building inspection by the Housing Inspection Officer shows a minimum of 95% completion and does not have any health and safety risks or violations.
- b. Proof of Homeowner's insurances is required prior to occupancy and maintained on a yearly basis. 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 Mortgagor(s).

7.

COMPLIANCE

- a. Applicant(s) who fail to comply with any of the terms or requirements set out in this policy will be subject to reconsideration of the disbursement of the mortgage funding.
- b. The Mohawks of the Bay of Quinte Housing Administration reserves the right to oversee all building projects and reconsider mortgage funding at any time deemed relevant or necessary.

8.

APPEALS 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.

9.

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.

10.

ACCEPTANCE

- a. Duly accepted by a quorum of the Tyendinaga Mohawk Council this 20th day of June, 2006.
- b. Revisions duly accepted by a quorum of the Tyendinaga Mohawk Council on this 28th day of September, 2012.
- c. Revisions duly accepted by a quorum of the Tyendinaga Mohawk Council this 30th day of August, 2013.



R. Donald Maracle, Chief

APPENDIX A: PERCENTAGE COMPLETION

ITEM	Duration	Breakdown % based on Actual Cost
Install Culvert	1	
Well	1	
Lay out lot	1	
SITE INSPECTION	1	
HEALTH CANADA SITE INSPECTION (Environmental CHR)	1	
Excavate Foundation	2	2
Footings (labour Included)	1	0.5
FOOTING INSPECTION	1	
Foundation (labour included) (Basement interior not finished)	3	10
Drainage tile, Damp-proofing and gravel	2	1
FOUNDATION INSPECTION	1	
Beams, posts, floor joists and plywood subfloor	2	5
Back fill with sand and level around house	1	1
Install septic system	2	7
Exterior Walls and sheathing (labour included)	2	2
HYDRRO PERMIT	1	
HEALTH CANADA SEPTIC INSPECTION	1	
Interior Walls (labour included)	2	1
Trusses and plywood sheathing (labour included)	3	7
Windows and Doors (labour included)	1	7
Shingle roof and vent (includes labour)	2	2
HRV Rough-in (includes labour)	1	0.75
Plumbing rough-in (two bathrooms labour included)	3	3
Electrical Service and rough in (labour included)	4	2
Siding, soffit and fascia (labour included)	4	4
FRAMING INSPECTION	1	
ELECTRICAL INSPECTION	1	
Basement concrete floor (includes labour and material)	1	2
Install basement stairs (labour included)	1	0.75
Eavestrough and down spouts (labour included)	1	0.75
Heating rough-in (labour included)	4	4
Insulate attic, walls and vapour barrier (labour included)	3	2
VAPOUR BARRIER INSPECTION	1	
Drywall (labour included)	5	4
Tape and finish drywall (labour included)	4	1
Painting (labour included)	4	1
Windwo furring and trim (labour included)	2	0.75
Shelving, door stops, towel bars, etc (labour included)	2	0.5
Interior doors and trim (labour included)	2	2
Finish HRV (labour included)	2	2
Finish electrical	4	2
Flooring (carpet and vinyl labour included)	2	3.5
Kitchen cabinets and vanity (labour included)	1	5
Finish Heating	1	4
Baseboard and trim (labour included)	2	0.5
Finish plumbing (two bathrooms labour included)	3	4
Exterior decks and walkways (10'x12' labour included)	4	2
FINAL HOUSE INSPECTION	1	
FINAL ELECTRICAL INSPECTION	1	
Landscaping	3	3
Move in		
TOTAL	100	100

APPENDIX B: 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 construction meet with code requirements.
Physical on-site inspections:		
2	Site	Ensure property is suitable for building (not prone to flooding, etc). House 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 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.

Appendix C: Construction Cost Sheet

CONSTRUCTION COST SHEET

WORK TO BE COMPLETED	MATERIAL QUOTE	LABOUR QUOTE	TOTAL
EXCAVATION, BACKFILL & TRENCHING			
BASEMENT - COMPLETE (POURED FLOOR, FOOTINGS, GRAVEL, WALLS)			
SEPTIC OR SEWER			
PACKAGE (IF APPLICABLE)			
FRAMING (COMPLETE)			
TRUSSES			
ROOFING - COMPLETE (SHINGLES, VENTS ETC..)			
WINDOWS/DOORS - EXTERIOR			
PLUMBING - COMPLETE (INCLUDING FIXTURES & HWT)			
ELECTRICAL - COMPLETE (INCLUDING FIXTURES & PERMITS)			
HEATING - COMPLETE (INCLUDING HRV, A/C)			
FIREPLACE & CHIMNEY			
INSULATION - (ATTIC, WALLS, VAPOUR BARRIER, STRAPPING)			
DRYWALL COMPLETE			
FLOORING COMPLETE			
INTERIOR FINISH - COMPLETE (PRIMING, PAINT, TRIM, DOORS, SHELVING)			
KITCHEN CUPBOARDS/VANITIES			
SOFFIT/FASCIA & EAVESTROUGH - COMPLETE			
EXTERIOR FINISH - (PAINT, BRICK, SIDING, STUCCO)			
PORCHES, DECKS & WALKWAYS			
OTHER (HYDRO CONNECTIONS ETC...)			
TOTAL AMOUNT			
MINUS MORTGAGE AMOUNT			
TOTAL AMOUNT OF OVERRUN (IF APPLICABLE)			

NOTE: If the total amount is over mortgage limit you will have to pay the overrun before any funds are released from the Tyendinaga Mohawk Council. Your payment of overrun must be confirmed with paid invoices submitted to the Housing Office.

*****This sheet must be completed in it's entirety with attached quotes before the release of any funds.*****

Applicant: _____ Signature: _____ Date: _____
 Applicant: _____ Signature: _____ Date: _____
 Housing Officer: _____ Signature: _____ Date: _____

Appendix D: Housing Checklist/New Construction

HOUSING CHECKLIST/NEW CONSTRUCTION		
DATE	INITIALS	TASK TO BE COMPLETED
		TMC Approved Date _____ Amt. _____
		Letter of Approval
		1% Down payment Date Submitted _____
		Preliminary Plot Plan
		Final approved plot plan
		Well complete with certificate/gallons per minute
		Cost Construction Sheet completed
		House Plans approved by Housing Inspection Officer
		Site inspection/ Lot staked out for Housing Inspection Officer
		Test Hole (if required)
		Environmental Assessment
		Mortgage signed
		911#
Comments:		

Name: _____

Band Number: _____

Lot & Con: _____

Appendix E: PURCHASE ORDER FORM

PURCHASE ORDER REQUISITION

DATE:	
	NAME OF SUPPLIER:
CHEQUE WILL BE ISSUED IN THIS NAME	
ACCOUNT CODE:	
PURPOSE:	

PLEASE GIVE MORE THAN 2 DAYS FOR RECEIPT OF CHEQUE AFTER INVOICE IS RECEIVED.

ITEM DESCRIPTION	QTY	PRICE	TOTAL

TAX BREAKDOWN			
PST:	GST:	TAX TOTAL: \$	TOTAL TAXES HERE
\$	\$		
TOTAL			

ARE THE FINANCES AVAILABLE TO COVER THIS EXPENDITURE?

YES NO

I hereby certify that funds are available in this program to purchase the above items.

_____ REQUISITIONED BY _____ MANAGER/DIRECTOR _____ CHEQUE SIGNING AUTHORITY	COPY REQUIRED <input type="checkbox"/> YES <input type="checkbox"/> NO CHEQUE REQUIRED <input type="checkbox"/> YES <input type="checkbox"/> NO <i>(Please check each for efficient service)</i>
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