

**MOHAWKS OF THE  
BAY OF QUINTE**

**Elders Lodge Rental  
Policy and Procedures**

**\*(Please note this is a new policy and consultations  
with the Elders at the lodge WILL happen before the  
policy is approved by Council)\***

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**DATES OF COMPLETION  
AND REVISIONS**

	<b>DATE</b>	<b>MOTION #</b>	<b>SECTION</b>
COMPILED	September 23, 2008		ALL
ACCEPTED			

## PURPOSE

The following policy and procedures has been developed to guide the application and rental process of the Tyendinaga Elders Lodge.

This policy has been compiled in consultation with the community of Tyendinaga, Mohawks of the Bay of Quinte by-laws, policies, and regulations, and the Tyendinaga Mohawk Council to ensure that the Tyendinaga Elders Lodge remains a quiet and peaceful place of residence for the elders of this community.

The Elders Lodge Rental Policy has been created from reference material and guidelines delivered through Indian and Northern Affairs Canada, Canada Mortgage and Housing Corporation, and the Mohawks of the Bay of Quinte.

Applicants who wish to apply for occupancy within the Elders Lodge must meet the minimum criteria as outlined within this policy.

Appeals and grievances related to residency issues and application decisions will be reviewed by an appeals and grievances committee comprised of two Elders Lodge residents, the superintendent of the Elders Lodge, a Mohawks of the Bay of Quinte Housing Administration staff member, and a member of the Tyendinaga Mohawk Council.

Selection of applicants will be the decision of the selections committee comprised of one Mohawks of the Bay of Quinte Housing Administration staff member, the superintendent of the Elders Lodge, and one Elders Lodge resident.

Elders living within the lodge are expected to reference this policy in addition to their rental lease agreement and consider these as guidelines for their residency.

1.

**APPLICATION**

- a. Applications are available at the Sustainable Development Office and at the Tyendinaga Elders Lodge.
- b. Completed applications must be submitted to the Sustainable Development Office, Housing Department. It is the responsibility of the applicant to ensure completeness of the application and to attach all required documentation.
- c. Applications are considered on a first come, first served basis.
- d. A selections committee will review all applications and grant a decision based upon the information provided. The selections committee may require additional information and will contact the applicant to obtain that information. Decisions will be made based upon the guidelines within this policy.
- e. Applicants must meet the following minimum criteria:
  - i. Applicants must be 55 years of age or older as of the date of application – OR- be 50 years of age and verifiably physically disabled or handicapped.
  - ii. Applicant(s) must be status member(s) of the Mohawks of the Bay of Quinte. However, non-status co-applicants may be considered on the application for combined household income purposes only.
  - iii. Applicants who are status members of other First Nations will be considered for residency, however MBQ members will be given preference should a unit become available and there are applicants from both MBQ and other First Nations.
  - iv. In the event that there are available units and there are no eligible applications from the above two criteria, the selections committee reserves the right to review applications from non-status service providers within this community that meet the minimum criteria and will be considered on a short term tenancy basis only (i.e. For the duration of their service within the community).
  - v. Applicants will require a criminal reference check that does not reveal a risk to the safety of other tenants within the Elders Lodge. Criminal Reference Checks must be handed in with the application and with the receipt attached. If an applicant is selected for residency, the cost of the Criminal reference Check will be reimbursed.
  - vi. Applicants must be suitably assessed and recommended for independent living. This assessment must be submitted in written form with the application and can be completed by a health care professional (i.e. doctor, practical nurse, home and community care nurse).

- f. Applicants who are approved for residency will be placed on a waiting list, in order of approval date, until the next rental unit becomes available. If an applicant declines a rental unit, they will be placed at the end of the waiting list unless the applicant notifies the Housing Administration of their request to be removed from the waiting list. In the case where the applicant requires a handicapped unit, there is no penalty to that applicant for declining a regular unit. However, if the applicants' condition changes while on the waiting list, it is the responsibility of the applicant to update their application with information that will affect their tenancy.

2.

<b>TENANCY CONDITIONS</b>
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- a. Tenants living in the Elders Lodge must sign a tenancy agreement known as the "Rental Lease Agreement". This agreement will govern the relationship between the tenant and the landlord, Mohawks of the Bay of Quinte. The Rental Lease Agreement outlines the expectations and responsibilities of the tenant while residing at the Elders Lodge. The tenant is expected to abide by the Rental Lease Agreement.
- b. Tenants are expected to pay their rent before or on the 1<sup>st</sup> day of every month, unless an alternative payment plan has been made with the Mohawks of the Bay of Quinte. Rent will 25% of all household income, to a maximum of \$507.00 per month, unless the tenant receives a form of assistance where there is a shelter allowance. In the case of the tenant receiving a shelter allowance, the whole of the shelter allowance will be charged for rent, to a maximum of \$507.00. Rent includes utilities at the Elders Lodge.
- c. The Elders Lodge is to be enjoyed by seniors 55 years of age and older, with the exception of tenants who are 50 years of age and physically disabled. At no time should a tenant allow another individual under the age of 55 or 50 and disabled to reside with them in their rental unit without the prior approval of the Mohawks of the Bay of Quinte. Guests and visitors are allowed, however overnight visitors should not be allowed to stay in the rental unit for longer than seven days, without Mohawks of the Bay of Quinte approval.
- d. Elders are expected to respect their rental unit and the surrounding property, including the grounds outside of the building. All areas outside of each individual rental unit are considered to be "common areas" and should be for the enjoyment of all tenants. Tenants are expected to respect other tenants living within the Elders Lodge and can direct concerns and or complaints to the Mohawks of the Bay of Quinte Housing Administration and the Superintendent of the building.
- e. Disruptive behaviour will not be tolerated. The Elders Lodge is meant to be a quiet and peaceful place of residence. There is a warning system for disruptive behaviour that includes two written warnings and then a notice of eviction will be issued for continued disruptive behaviour.
- f. If a criminal offence is committed by a tenant, while living in the Elders Lodge, the Mohawks of the Bay of Quinte can ask the tenant to leave by way of a notice of eviction.
- g. In the event that there is a dispute about a decision made by the Mohawks of the Bay of Quinte Housing Administration regarding the tenancy of an occupant at the Elders

Lodge, the dispute will be heard by an Appeals committee and the decision of the Appeals committee shall be final.

3.

**APPEALS**

- a. An Appeals committee comprised of two Elders Lodge residents, the superintendent of the Elders Lodge, a Mohawks of the Bay of Quinte Housing Administration staff member, and a member of the Tyendinaga Mohawk Council will hear concerns and complaints of tenants who do not agree with a decision made by the Mohawks of the bay of Quinte Housing Administration.
- b. Tenants must express their concern to the Appeals committee in writing.
- c. Concerns will be heard by the Appeals committee within 7 business days.
- d. All decisions of the Appeals committee will be final. The Tyendinaga Mohawk Council reserves the right to delegate authority to make decisions regarding tenant concerns to the Appeals committee and uphold the decisions of the committee.

4.

**COMPLIANCE**

- a. Applications will be disregarded 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 issues related to application and tenancy within with Elders Lodge at any time deemed relevant or necessary.
- b. The Mohawks of the Bay of Quinte reserve the right to approve an application under an extenuating circumstances clause where the applicants' health and safety needs are of concern.

5.

**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.

6.

**ACCEPTANCE**

- a. Duly accepted by quorum of the Tyendinaga Mohawk Council this XX day of October, 2008.

\_\_\_\_\_  
Chief R. Donald Maracle

7.

**APPLICANT'S AGREEMENT**

Applicant(s): I hereby agree to the above policy and shall abide to the specified requirements.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness