

**TYENDINAGA MOHAWK COUNCIL**

**POLICY FOR THE**

**CONSTRUCTION OF SINGLE**

**FAMILY DWELLINGS**

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<b>DATES OF COMPLETION AND REVISIONS</b>
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	<b>DATE</b>	<b>MOTION #</b>	<b>SECTION</b>
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, 1b., 5c.,
REVISED	APRIL 5, 2006		Changed Loan Amount
REVISED	JUNE 20, 2006	17	Introduction 2c., 2d.
REVISED	JUNE 14, 2006	2	Table of contents page numbers, 4b. (new), 4b – 4f changed to 4c - 4g

## INTRODUCTION

*The following is an outline of the procedures and rules expected of our community members who are making application for a housing loan to construct or purchase a single family, owner occupied, principle residence located on the Tyendinaga Mohawk Territory.*

*The maximum loan, at the present time, that an applicant may receive is \$95,000, which is to cover most of the costs associated with building a standard 1200 square foot home. Applicants and/or co-applicants must be prepared to contribute his/her own resources to complete the home if/when necessary. Incentives are offered to assist with associated sanitation and purification costs.*

*The Council has accepted the Ontario First Nations Illustrated Housing Code for the standards applicable to the construction of homes. Due to the terrain of the Tyendinaga Mohawk Community, the Council has also implemented guidelines for housing construction under Appendix A. The Code and the guidelines must be adhered to.*

*In order to assist in understanding the complexities of constructing a new home, the successful applicants must attend a briefing session on the construction of a home.*

*Also included is Appendix C which outlines the process for allocating points under the Housing Allocation System.*

*Please note as an alternative or option, community members may consider the Bank of Montreal On-Reserve Housing Loan Program. For further information call the Bank of Montreal at (613) 967-4320.*

1.

**REQUIREMENTS BEFORE  
COMPLETING APPLICATION**

- a. Applicant(s) **MUST** be a status member(s) of the Mohawks of the Bay of Quinte/Tyendinaga Mohawk Territory.
- b. Applicant(s) **MUST** be registered on the Certificate of Possession. The co-applicant's name, if he/she is a status member of the Mohawks of the Bay of Quinte, must be registered on the Certificate of Possession before points will be awarded for the co-applicant.

If purchasing an existing home a letter must be attached to the application from the present home owner with asking price for the home and property plus consent that both will be transferred to the applicant and co-applicant (if applicable) if approved for a mortgage with the Mohawks of the Bay of Quinte.

- c. The size of the property must meet the requirements of a safe and acceptable building lot. This shall be determined by the Health & Welfare Officer conducting the site inspections. Deficiencies in the site location must be corrected before any funds regarding the housing loan are released.

2.

**MAKING APPLICATION**

- a. Applicant(s) must complete the recognized Housing Application Form of the Mohawks of the Bay of Quinte/Tyendinaga Mohawk Council.
- b. It is the responsibility of the applicant(s) to complete the form in its entirety. Incomplete applications may be refused, if reason for incompleteness is not justified.
- c. **It is the responsibility of the applicant to keep their application current and updated.**
- d. Applications will be considered pending funding availability.

**3.****ACCEPTANCE OF HOUSING LOAN**

- a. When an applicant(s) is selected to receive a housing loan, the said applicant must provide to the Administration Office (Housing Program) within 30 days of formal notice the following:
  - i. report on supply of water on property; record of flow rate of well (minimum of 3 gallons per minute **OR** alternate water supply
  - ii. a site inspection (verbal) followed up by a report (written) from Health and Welfare Canada of the proposed residential lot; deficiencies must be corrected by the owner – Landscaping, driveways and garages (attached only) are not deemed a priority but are allowed if identified within the budget or covered with applicant's own resources
  - iii. two complete sets of detailed house plans, including electrical and mechanical drawings with a stamp of approval from the Housing Inspector
  - iv. detailed cost listing for completion and construction of the house; construction costs exceeding the amount allocated must be provided by the successful applicant before any of the Housing dollars are released
  - v. passable access to the building site
- b. If after the 30 days the applicant refuses or is unable to meet any of these requirements, the financial allotment will be reallocated or reconsidered.
- c. Alterations that will increase the construction costs will **NOT** be allowed after house plans and construction costs have been accepted by Council unless applicant provides proof that resources/funds are in place to cover increase.

**4.****CONSTRUCTION**

- a. All building construction must comply with the specifications of the Ontario First Nations Illustrated Housing Code, as well as the Housing Construction Guidelines of the Mohawks of the Bay of Quinte (Appendix A).

- b. Factory-built Houses and Site-built Houses: The Illustrated Housing Code applies the same requirements to site-built and factory-built houses. As many of the components of the building will be closed-in prior to delivery of the factory-built house to a given site, it is not possible to inspect for compliance.

CAN/CSA-A277, "Procedure for Certification of Factory-built Housing", is used to determine whether a factory that produces factory-built homes has constructed a product in conformance with applicable Codes. Factories which are certified under A277 can provide product labelling indicating that construction has conformed with requirements of the Code.

Mobile Homes and Trailers Must conform with CAN/CSA-Z240, "Series of Standards for Mobile Homes". Compliance with the standard does ensure conformity to all the prescriptive requirements of the Illustrated Housing Code. Any site installation of foundations, stairs, chimneys, grading and plumbing, for example, must meet Code requirements.

- c. Construction must be inspected by an appointed building inspector at a minimum of six inspections and a copy of the inspection report must be submitted to the Tyendinaga Administration Office.
- d. Inspections will occur as follows (Appendix B):
- i. site
  - ii. footing forms before concrete
  - iii. basement before backfill
  - iv. framing
  - v. insulation/vapour barrier
  - vi. final
- e. All housing starts must have a favourable final inspection prior to occupancy.
- f. All septic systems must have the approval and must comply with the regulations of the local Medical Health Officer or Health and Welfare Canada, prior to the backfilling of the septic system site.
- g. Rough grading of the building site to provide adequate drainage away from the dwelling must be completed within the limits of the housing loan policy.

5.

**FINANCING**

- a. The Mohawks of the Bay of Quinte/Tyendinaga Mohawk Council will provide a repayable loan at six per cent (6%) interest per annum to a maximum of \$95,000. Mortgagors have an option of a 15 to 30 year mortgage. Finances are allowed for the completion of the construction of the house and the installation of the sewer system and the hydro. Allowance for hydro costs shall only include the installation from the road frontage to the house provided the house is located not more than 200 feet from the road.
- b. If the detailed construction costs is expected to exceed the maximum loan amount of \$95,000 the successful applicant must utilize their own resources **before** the funds from the Tyendinaga Mohawk Council will be released and provide proof that the funds have been utilized and paid.
- c. Purchase Orders for all expenditures must be obtained from the Housing Office. Invoices must have Purchase Order number included. Invoices must be signed by the homeowner before invoice is paid.
- d. Purchase Order Requisitions are to be completed to its entirety -- quantity, amount, dollar value, description of material, company and applicants name and signature of homeowner or signature of individual assigned by homeowner.
- e. **Financial advances will not be issued.**
- f. Funding will not be released until all the necessary documents for the Tyendinaga Administration Office are completed and signed.

6.

**TERMS OF MORTGAGE AND TERMS OF PAYMENT**

- a. The maximum term of the mortgage is optional for the mortgagor of either a 15 to 30 year mortgage.
- b. Payment on the mortgage will commence six months after the initial release of funds. If purchasing existing homes, payments will commence two months after the initial release of funds.

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7.

**INSURANCE**

- a. The mortgagor shall insure the said dwelling against loss or damage by fire, tempest, tornado, cyclone, lightning and other risk and hazard. The Mohawks of the Bay of Quinte or Tyendinaga Mohawk Council shall be listed as the First Mortgagee.
- b. The mortgagor shall obtain Builders Risk Insurance during the construction of the house. The mortgagor must bring in proof of insurance before any purchase orders are issued.

8.

**OCCUPANCY**

- a. Occupancy should not occur until a final favourable inspection report is completed.

9.

**AMENDMENTS**

- a. This policy and procedure paper is subject to annual review and amendments. Amendments will be duly carried and recorded by the Tyendinaga Mohawk Council.

10.

**ACCEPTANCE**

- a. Duly accepted by a quorum of the Tyendinaga Mohawk Council on this     day of, by Motion # .

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

b. I hereby agree to the above policy and shall abide to the specified requirements.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

**GUIDELINES ESTABLISHED BY THE**

**TYENDINAGA MOHAWK COUNCIL**

**FOR THE CONSTRUCTION**

**OF NEW HOUSES**

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**DATES OF COMPLETION  
AND REVISIONS**

	<b>DATE</b>	<b>MOTION #</b>	<b>SECTION</b>
COMPILED	February 7, 1987	1	All
REVISED	June 26, 1990	2	
REVISED	July 18, 1990	2	
REVISED	December 18, 1995	4	Set-up
REVISED	March 26, 1997	1	
REVISED	OCTOBER 19, 2005	19	2b

1.

**SIZE OF LOT**

- a. Size of serviced lot must have a minimum area of 600 sq. m (6,500 sq. ft.) and a minimum frontage dimension of 13 m (65 ft.).
- b. The size of the lot for unserviced lots shall be determined by the soil inspection or investigation. However, a minimum lot size for unserviced areas must be 20,000 square feet or one-half acre (minimum frontage 100' X 200').

2.

**LOCATION OF HOUSE**

- a. 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
- b. Any variances must be approved by the Director of Housing in conjunction with the Building Inspector.

3.

**WELL**

- a. The property must have a well with an acceptable flow rate or alternate water supply.

4.

**SEPTIC**

- a. All main septic leads from house to septic must be 4 inches ABS.
- b. The area under the main septic line must be compacted.
- c. Septic fields must not be located less than 10 feet from any property lines.

- d. Minimum of overburden may necessitate the use of a holding tank. Size and type of sewage disposal system shall be determined by Health and Welfare Canada Inspector.

**5.**

**EXTERIOR WALLS**

- a. All framing must be 16", 19.2" or 24" on centre spacing.
- b. Exterior wall studding should be 2 inch by 6 inch construction.

**6.**

**FILL**

- a. All houses must be backfilled with sand.

**7.**

**CULVERT**

- a. Culverts must be installed at the owner's expense.

**8.**

**ACCEPTANCE**

- a. Duly accepted by a quorum of the Tyendinaga Mohawk Council on this 19th day of October 2005, by Motion #19.

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R. Donald Maracle, Chief

**PERCENTAGE OF  
COMPLETION  
FOR INSPECTIONS**

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**DATES OF COMPLETION AND REVISIONS**

	<b>DATE</b>	<b>MOTION #</b>	<b>SECTION</b>
COMPILED	June 26, 1990		All
REVISED	December 18, 1995	4	Set-up
REVISED	March 26, 1997	1	

1.

**PERCENTAGE OF COMPLETION**

- a. The following chart is how the Housing Inspector will determine the percentage of completion by utilizing the percentages allocated for each item as they are completed.
- b. Numbers in the second column reflect the percentage of completion for that item.
- c.

<b>LINE</b>	<b>%</b>	<b>ITEM</b>
A	8	CRAWL SPACE - Excavation 1, Footings 1, Ground Cover 1, Column, Beams 1, Sub-Floor 2, Foundation 2
A	16	FULL BASEMENT - Excavation 1, Footings 3, Sub-Floor 2, Foundation 3, Damp-Proofing 3, Drainage 3, Columns, Beams 1
B	22	Backfill 2, Framing 6, Sheathing 2, Roof 6, Roughed in Electrical 2, Roughed in Plumbing 2, Insulation 2
C	2	Roughed in Heating
D	3	Exterior Doors and Windows
E	12	Exterior Finish
F	3	Basement Floor
G	5	Heating Equipment
H	2	Interior Doors
I	8	Interior Wall and Ceiling Finish
J	3	Finish Floor
K	1	Complete Electrical (including fixtures)
L	4	Complete Plumbing (including fixtures)
M	11	Finish Carpentry
N	5	Painting - 3 inside interior, 2 outside exterior
O	3	Site Works and Improvements

2.

**ACCEPTANCE**

- a. Duly accepted by a quorum of the Tyendinaga Mohawk Council on this 19<sup>th</sup> day of October 2005, by Motion #19.

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R. Donald Maracle, Chief

**GUIDELINES FOR COMPLETING**

**THE POINTS SYSTEM FOR**

**THE HOUSING PROGRAM**

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Guide on Scoring for Credit Ratings

**DATES OF COMPLETION AND REVISIONS**

	<b>DATE</b>	<b>MOTION #</b>	<b>SECTION</b>
COMPILED	June 26, 1990		
REVISED	February 25, 1992	1	
REVISED	December 18, 1995	4	Section 6, 7, 12, 13
REVISED	March 26, 1997	1	Section 1.b., 2.b., 3.a.b., 4, 5, 6, 7, 8, 9, 10, 11, 12, Declaration
REVISED	OCTOBER 19, 2005	19	1a., b., c., d., e., 6b., 7b., c., d., f., 13a., c., d., Guide on Scoring for Credit Rating

## INTRODUCTION

*This Appendix of the Policy for the Construction of Single Family Dwellings will assist Community members to understand the allocation of points under the Housing program.*

*This procedure provided is utilized as guidelines only and do not represent the ultimate decision on the allocation of houses.*

1.

**SECTION ONE  
APPLICANT**

- a. The applicant must be a status member of the Mohawks of the Bay of Quinte.
- b. The application must be completed in its entirety with all necessary documentation. An incomplete application may result in a lower score.
- c. A meeting with Housing personnel to discuss the completed application is mandatory. If needed Housing staff will assist in completing the application.
- d. The date the application is received will be date stamped upon receipt.
- e. Applicant(s) will receive a copy of the “Tyendinaga Mohawk Council Policy for the Construction of Single Family Dwellings” and other related policies

2.

**SECTION TWO  
PRESENT EMPLOYMENT OF APPLICANT**

- a. This section is to provide enough information about employment to determine if the applicant is maintaining or will have steady employment. This information coupled with the commitment section (S.6) will assist the Council to determine the “financial readiness” of the applicant for such a major undertaking.

3.

**SECTION THREE  
CO-APPLICANT**

- a. Co-applicant must be a status member of the Mohawks of the Bay of Quinte. If land is not in joint tenancy with the co-applicant, the data regarding the co-applicant will not be considered.

4.

**SECTION FOUR  
PRESENT EMPLOYMENT OF CO-APPLICANT**

- a. This section must be completed by any other supporting person, if he/she is a status member of the Mohawks of the Bay of Quinte. The land must be in joint tenancy in order to consider the information regarding the co-applicant.

...../2

5.

**SECTION FIVE  
PREVIOUS EMPLOYMENT HISTORY**

- a. This section deals with the employment history of the applicant and co-applicant.

6.

**SECTION SIX  
FAMILY INCOME & FINANCIAL COMMITMENT**

- a. This section will be utilized to ensure community members can assume a mortgage and still maintain financial commitments without causing a hardship on the family.
- b. All household income shall be reported. Education, training allowances or Social Assistance will not be considered as income. Expenditures shall include outstanding loans and all amounts owed to other creditors. This information is required in order to establish a Net Income (Revenue - Expenditures) for the month.

7.

**SECTION SEVEN  
ASSETS**

- a. This section refers to applicants and co-applicants who possess property on the Tyendinaga Mohawk Territory and who have taken the initiative to install a well and to provide access to the property designated for the construction.
- b. Access to property may require the installation of a culvert. The Roads Foreman will view and advise the applicant and the Housing Department if a culvert is required and the size required.
- c. If the present accommodation is classified as inferior, a letter from a recognized engineer or Building Inspector should be attached. If a letter is included the applicant will receive five points. Applicant must assume fees.
- d. Prospective applicants applying for the Construction of Single Family Dwellings, must be registered on the Certificate of Possession before applying for a loan. If purchasing an existing home a commitment letter must be attached from the current home owner identifying the purchase price and a commitment to transfer the home and property to applicant and co-applicant (where applicable) providing they are approved for a mortgage.

- e. The land must be in joint tenancy before information regarding the co-applicant is considered.
- f. Applicants and/or co-applicants in possession of other homes must sell referred to houses and contribute toward the construction of the new home if granted under this policy. The new home must be the principal residence. If a loan is approved to replace an inferior home, that house must be demolished, at owners expense, within six months of occupancy of the new home.

**8.**

**SECTION EIGHT  
OTHER FAMILY MEMBERS**

- a. Two points will be added for each child/dependent under 18 that is status (there may be exceptions for physically or mentally challenged dependants over the age of 18). Co-applicants who are status members of the Mohawks of the Bay of Quinte do not have to be included on the list in Section 8.

**9.**

**SECTION NINE  
PRESENT LOCATION OF FAMILY MEMBERS**

- a. If an applicant was forced to divide the family to live with friends or relatives in order to avoid overcrowding and the receipt of a home would re-unite the dependent children, the applicant is entitled to receive a maximum of two points.

**10.**

**SECTION TEN  
PRESENT ACCOMMODATION OF FAMILY**

- a. If overcrowding is obvious, award two points. In order to judge overcrowding the following examples may be utilized:
  - i. parents and two children: same sex - two bedroom
  - ii. parents and two children: different sexes - three bedrooms
  - iii. parents and three children: same sex - three bedrooms
  - iv. parents and three children: different sexes - three bedrooms

11.

**SECTION ELEVEN  
MEDICAL /HEALTH CONDITION**

- a. This section will determine if the present accommodation is hazardous or causes medical/health conditions. Doctor’s letter is required

12.

**SECTION TWELVE  
PREVIOUS LANDLORD & RESIDENTIAL HISTORY**

- a. This section pertains to reference checks with previous landlords. If possible, at least two landlords should be provided
- b. If the applicant and co-applicant have excellent reference checks award ten points.
- e. If the applicant and co-applicant have not established previous landlords or if the applicant and co-applicant receive a poor reference, no points are awarded.

13.

**SECTION THIRTEEN –  
CREDIT CHECK/DECLARATION**

- a. This section pertains to credit checks with both the Tyendinaga Mohawk Council and the Credit Bureau. A good credit check will score 15 points a poor credit check will score 0 points.
- b. Further it is the responsibility of all applicants to ensure that the Credit Bureau has up-to-date information on their files regarding the applicant's credit rating.
- c. Bankruptcies will be scored as a poor credit unless a discharged bankruptcy is two years old and only if the applicant and co-applicant have shown 12 consecutive payments made on time since the bankruptcy and/or other proof of good credit history.
- d. If the applicant or co-applicant are in arrears with the Mohawks of the Bay of Quinte the application will not be considered until the arrears are paid in full and 12 consecutive payments, on time have been made.

**14.**

**ACCEPTANCE**

- a. Duly accepted by a quorum of the Tyendinaga Mohawk Council on this 19<sup>th</sup> day of October 2005, by Motion #19.

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R. Donald Maracle, Chief

<b>GUIDE ON SCORING FOR CREDIT RATINGS</b>	
<b>GUIDE</b>	<b>TMC CB</b>
Good credit rating	<b>15</b>
Applicant did not have any opportunities to establish credit with the Tyendinaga Mohawk Council and/or Credit Bureau	<b>5</b>
Discharged bankruptcy older then 2 years and good credit history since discharge (12 consecutive, on time payments)	<b>5</b>
Pays (or paid) in more than 30 days, but not more than 60 days, or not more than one payment past due	<b>0</b>
Pays (or paid) in more than 60 days, but not more than 90 days, or two payments past due	<b>0</b>
Pays (or paid) in more than 90 days, but not more than 120 days, or three or more payments past due	<b>0</b>
Account is at least 120 days overdue, but is not yet rated "9"	<b>0</b>
Making regular payments under a consolidation order or similar arrangement	<b>0</b>
Repossession (indicate if it is a voluntary return of merchandise by the consumer)	<b>0</b>
Bad debt; placed for collection; skip	<b>0</b>
If arrears with Mohawks of the Bay of Quinte application will not be approved until arrears are paid in full and 12 consecutive, on time payments have been made.	<b>0</b>
<b>Applicant has outstanding debts with the Mohawks of The Bay of Quinte:</b>	
Any arrears	<b>0</b>
Purification/Business Loan arrears	<b>0</b>
Any other debts in default	<b>0</b>
Emergency utility loan in good standing	<b>5</b>

TMC means Tyendinaga Mohawk Council  
CB means Credit Bureau