TITLE:	Income Assistance Shelter Policy
SUBJECT:	Social Development and Housing
MOVED BY:	Chief Byron Louis, Okanagan Indian Band, BC
SECONDED BY:	Grand Chief Doug Kelly, Proxy, Kwaw-kwaw-Apilt First Nation, BC
DECISION:	Carried by Consensus

WHEREAS:

A. Article 19 of *The United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) affirms: "States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them."

B. Aboriginal Affairs and Northern Development Canada (AANDC) Shelter policies are developed at the regional level so that they are formulated based on provincial Income Assistance (IA) programs and in compliance with the AANDC National Income Assistance Manual.

C. The current AANDC Shelter policies for both British Columbia and Manitoba do not support the ability to use the Shelter Allowance for an eligible IA client as a rent payment on homes built with Canada Mortgage and Housing Corporation (CMHC) funding or other government funding where the mortgage has expired and as a result, has caused undue hardship on First Nations housing regimes and IA clients.

D. In addition, in BC, inconsistencies in interpretation of the Shelter Allowance policy has recently resulted in further limiting of the policy such that rent may not be paid for an IA recipient in a home that is paid off and "not" built with government funding, such as would be the case if an individual had built their own home at their own cost.

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E. The AANDC Social Assistance policy is understood to be “reasonably comparable to the province” if the region does not have its own IA policy. In both BC and MB the provincial departments responsible for IA (and Shelter Allowance) do not make any distinctions for eligibility as to whether a home is built with or without government funds, whether or not it has a mortgage, or whether individual rooms are being rented out to IA recipients within a home. As such, the AANDC Shelter policy does not align with provincial policies, and therefore contradicts AANDC's own “reasonable comparable” requirement.

F. The Shelter policy as it is currently applied and interpreted, denies a homeowner the right to rent his/her own home to an IA recipient even though he may have built it and paid off himself. This also applies to bands which may have paid off their house mortgages via a settlement.

G. The current IA policy is written so that it can be utilized to pay off a federal debt, but once the federal debt is paid then it cannot be used by First Nations for their housing authorities to maintain homes. Such practices are further entrenching First Nations into debt and leading to premature deterioration of homes on reserve.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Direct the Assembly of First Nations to write the Minister of Aboriginal Affairs and Northern Development Canada (AANDC) and ask for immediate termination or modification of the current policy on rent and personal mortgage payments within the Income Assistance Shelter Policy and request that the department and its regional offices consult and negotiate with First Nations and their duly mandated organizations in the development of new policies.

2. Direct the Assembly of First Nations to facilitate meetings with AANDC, its regional offices, and Chiefs from any affected regions to work to immediately resolve issues with the current policy on rent and personal mortgage payments within the Shelter Policy and to ensure any new or revised Shelter Policy will not limit the housing options available for Income Assistance recipients.

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