



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**RESIDENTIAL LEASE REGULATION
AMENDMENT REGULATION, 2020**

Provisions of the *Financial Administration Act*, HFNA 7/2011, relevant to the enactment of this Regulation: section 83.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Residential Lease Regulation Amendment Regulation, 2020* was passed by Executive Council on:

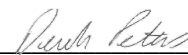
October 8,2020



Chief Councillor, Robert Dennis

I certify that the *Residential Lease Regulation Amendment Regulation, 2020* is enacted as law on:

October 8,2020



Ta'yii Hawilth, Derek Peters

I certify that the *Residential Lease Regulation Amendment Regulation, 2020* came into force on:

October 8,2020



Coraleah Bauer, Law Clerk

Residential Lease Regulation Amendment Regulation, 2020

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Amendments

1 *The Residential Lease Regulation, HFNR 3/2012, is amended by:*

(a) Following section 6, adding the following new section:

“Residential leases of designated properties

6.1 (1) In this section:

“designated occupant” means an occupant designated by Executive Council under subsection (2) as eligible to apply for a lease of a designated property and may refer to more than one occupant where more than one (1) occupant is designated in respect of a single designated property.

“designated property” means a property designated by Executive Council under subsection (2).

(2) Executive Council may designate a property as available for disposition to an occupant and may designate an occupant as eligible to apply for a lease of that property if the following conditions are met:

- (a) The occupant is an eligible person;
- (b) The property has been occupied by the occupant for at least three (3) years under a rental agreement between the occupant and the Huu-ay-aht;
- (c) The property was the subject of a mortgage from Canada Housing and Mortgage Corporation that was granted prior to April 1, 2011; and
- (d) The mortgage has been paid in full.

(3) Where all of the requirements of subsection (2) are met in respect of more than one occupant of a property, Executive Council will designate all occupants meeting the requirements as eligible to apply for a lease of that property under subsection (2).

(4) A designated occupant may apply for a residential lease of a designated property by delivering an application in the form specified by the director within six (6) months following a resolution by Executive Council under subsection (2).

(5) An application under subsection (4) must

- (a) specify the designated property in respect of which the application is made,
 - (b) include proof in affidavit form satisfactory to the director that the applicant
 - (i) has the financial capacity to fulfill the terms of a residential lease, and
 - (ii) is prepared to execute a residential lease for the property and comply with the lease terms, and
 - (c) include any other information that the director believes advisable in an application for a residential lease.
- (6) After receiving an application under this section, the director must promptly deliver a written acknowledgement of its receipt to the applicant.
- (7) As soon as practicable, the director must review an application under this section and notify the applicant that the application
- (a) is complete,
 - (b) is incomplete and will not be reviewed further until specified information is provided, or
 - (c) will not be considered because the application is not made by a designated occupant in respect of a designated property.
- (8) As soon as practicable after receipt of a complete application under this section the director must provide to Executive Council the application for residential lease.
- (9) As soon as practicable following receipt of a completed application from the director, Executive Council must approve the residential lease application provided by the director under subsection (8) and grant a residential lease to the applicant in accordance with section 28 of the Act.”;
- (b) In section 10, by striking out “chair of the tribunal” and substituting “Speaker”;*
- (c) In section 16, by striking out “10(2)” and substituting “6.1 (1)”.*

Commencement

- 2** This regulation comes into force on the date of its enactment by Executive Council.

Consolidation

- 3** The Law Clerk is directed to consolidate the *Residential Lease Regulation*, HFNR 3/2012 to include the amendments contained in this regulation.