



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**HOUSING REGULATIONS
AMENDMENT REGULATION, 2024**

Provisions of the following are relevant to enactment of this Regulation:
Financial Administration Act, HFNA 7/2011, s. 81;
Housing Authority Act, HFNA 6/2023, s. 9.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Housing Regulations Amendment Regulation, 2024* was passed by Executive Council on:

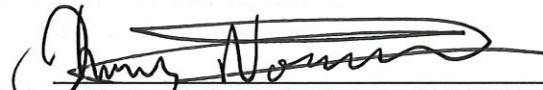
February 8, 2024



Chief Councillor John Jack

I certify that the *Housing Regulations Amendment Regulation, 2024* is enacted as law on:

February 8, 2024



Theresa Nookemus on behalf of the Ta'yii Hawilth

I certify that the *Housing Regulations Amendment Regulation, 2024* came into force on:

February 8, 2024



Coraleah Bauer, Law Clerk

Housing Regulations Amendment Regulation, 2024

Contents

- 1 Amendments
- 2 Commencement
- 3 Consolidation

Amendments

- 1** (1) The *Housing Authority Policy Regulation*, HFNR 2/2023, is amended as follows:

(a) By repealing section 1 and replacing it with:

“**applicant**” means applicant as defined in the *Rental Housing Regulation*, HFNR 1/2022;

“**constating documents**” means, in respect of the housing authority, its certificate of incorporation and its constitution and bylaws, as amended from time to time in accordance with their terms;

“**director**” means an individual appointed by Executive Council under section 2

“**Election Act**” means the *Election Act*, HFNA 2011;

“**Huu-ay-aht housing**” means Huu-ay-aht housing as defined in the *Rental Housing Regulation*, HFNR 1/2022;

“**priority list**” means priority list as defined in the *Rental Housing Regulation*, HFNR 1/2022;

“**Speaker**” means the Speaker as defined in the *Government Act*, HFNA 2011;

“**spending authority**” means an authorization in a Huu-ay-aht Act to spend money or incur an expenditure;

“**tenant**” means a person who has signed a tenancy agreement;

“**tenancy agreement**” means tenancy agreement as defined in the *Rental Housing Regulation*, HFNR 1/2022;

“**terms of reference**” means terms of reference prescribed under section under section 9; and

“**unit**” means unit as defined in the *Rental Housing Regulation*, HFNR 1/2022.

- (b) *In section 2, by:*
- (i) *by repealing subsection (1) and replacing it with the following:*
 - (1) Executive Council must exercise the rights of Huu-ay-aht as the sole member of the housing authority so that the board is comprised of five individuals, including at least one Huu-ay-aht citizen and one tenant, who bring particular expertise or other considerations to the board.
 - (ii) *in subsection (2) by striking out “(c)”;* and
 - (iii) *by adding the following subsection:*
 - (3) Before making an appointment under subsection (1), Executive Council must seek and consider the advice of the Ha’wiih Council.
- (c) *In section 4, by:*
- (i) *repealing subsection (2); and*
 - (ii) *in subsection (3) by striking out “and (2)”.*
- (d) *In section 5, by repealing subsection (1) and replacing it with the following:*
- (1) Executive Council must exercise the rights of Huu-ay-aht as the sole member of the housing authority so that the term of office for a director is four years, or until the director resigns or is removed in accordance with this regulation and the constating documents.
- (e) *In section 6:*
- (i) *by striking out “an elected director” and substituting “a director”;* and
 - (ii) *by replacing “.” at the end of paragraph (f) with “;”;*
 - (iii) *after paragraph (f), by adding the following:*
 - (g) the director was the only director who was also a tenant and they have ceased to be a tenant
- (f) *In section 7, by:*
- (i) *in subsection (2), striking out “to the office of an elected director”;* and
 - (ii) *in subsection (3), adding “receiving notice of” immediately following “within 30 days of”;*
- (g) *By repealing Part 2 – Division 2;*
- (h) *In Part 2, by:*
- (i) *striking out “18” and substituting “8”;*
 - (ii) *striking out “19” and substituting “9”;*
 - (iii) *striking out “20” and substituting “10”;*
 - (iv) *striking out “21” and substituting “11”;*
 - (v) *striking out “22” and substituting “12”;*
 - (vi) *striking out “23” and substituting “13”;*
 - (vii) *striking out “24” and substituting “14”;*

- (viii) amending section 25 by:**
 - (A) striking out “25” and substituting “15”;**
 - (B) repealing paragraph (f) and replacing it with the following:**
 - (f) awarding, entering into, amending, terminating or waiving compliance with the terms of any contract which**
 - (i) is not at a fixed or predetermined price and could result in an obligation to pay an amount exceeding \$100 000, or**
 - (ii) commits the housing authority to an amount exceeding \$100 000;**
- (ix) amending section 26 by:**
 - (A) striking out “26” and substituting “16”; and**
 - (B) in subsection (c), by replacing the reference to “section 25” with a reference to “section 15”**
- (x) striking out “27” and substituting “17”;**
- (i) In Part 3, by:**
 - (i) striking out “28” and substituting “18”;**
 - (ii) striking out “29” and substituting “19”;**
- (j) In Part 4, by:**
 - (i) striking out “30” and substituting “20”;**
 - (ii) striking out “31” and substituting “21”;**
 - (iii) striking out “32” and substituting “22”;**
 - (iv) striking out “33” and substituting “23”;**
 - (v) striking out “34” and substituting “24”;**
 - (vi) striking out “35” and substituting “25”;**
- (vii) amending section 36 by:**
 - (A) striking out “36” and substituting “26”;**
 - (B) in subsection (3), by replacing the reference to “section 35” with a reference to “section 25”; and**
 - (C) in subsection (4), by replacing the reference to “section 35” with a reference to “section 25”;**
- (viii) striking out “37” and substituting “27”;**
- (ix) striking out “38” and substituting “28”;**
- (k) In Part 5, by:**
 - (i) striking out “39” and substituting “29”; and**

- (ii) *in paragraph (c), by replacing the reference to “section 35” with a reference to “section 25”;*
- (l) *In Part 6, by striking out “40” and substituting “30”;*
- (m) *In Part 7, by:*
- (i) *striking out “41” and substituting “31”; and*
- (ii) *in section 42, by:*
- (A) *striking out “42” and substituting “32”;*
- (B) *striking out subsection “(1)” and substituting the following:*
- (1) Despite section 5
- (a) the term of office of the directors who hold office on the date this regulation comes into force expires on the second Wednesday in September 2025,
- (b) the term of office of the first two directors appointed after the date this regulation comes into force expires on the second Wednesday in September 2027.
- (C) *striking out subsection “(2)” and substituting the following:*
- (2) Subsection (1) does not apply to any director appointed under section 7 (1).
- (n) *By repealing section “42”;*
- (o) *By repealing section “43”; and*
- (p) *By repealing section “44”.*
- (2) The *Rental Housing Regulation*, HFNR 1/2022, is amended as follows:
- (a) *by adding the following subsection to section 16:*
- (6) Despite subsections (1) – (5), monthly rent for any subsidized unit that is the subject of a housing funding agreement will be set in accordance with the terms of that agreement.

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 *Housing Authority Policy Regulation*, HFNR 2/2023 and the *Rental Housing Regulation*, HFNR 1/2022 to include the amendments contained in this regulation.