



# **Rights & Responsibilities**

## **WORDS FROM THE PRESENT**

### **IF A MEMBER HAS AN ADDITIONAL LOT/RESIDENCE:**

We asked Nation Members if they should be allowed to have multiple lots. They responded:

- **Yes:** 21/125
- **No:** 102/125

Nation Members also commented:

- Additional residences should only be used for rental purposes.
- Additional residences that sit vacant should be revoked.
- No Nation Member should be permitted to own more than one house until all Squamish People have been housed. It is unfair to hold multiple stakes in multiple homes while the Nation is in a housing crisis.
- Hi'yám Housing does not allow anyone who owns a property to rent one of their units.
- The Squamish Nation should reconsider this question once all Nation Members have been brought home.

### **RENTING A RESIDENCE:**

We asked Nation Members if Nation Members should be permitted to rent their homes to other Nation Members only. They responded:

- **Yes:** 72/125
- **No:** 52/125

Nation Members also commented:

- The Squamish Nation should establish a department to monitor rental properties, renters, and landlords.
- A database needs to be created to monitor all rentals.
- All Nation Members who are renting their residence should provide a tenancy agreement.
- If a tenancy agreement is not provided, the residence should not be eligible for housing services such as garbage pickup and renovations.
- Rentals should only be available to Nation Members, and all renters should be made to supply proof of band membership.
- Rentals should only be available to Nation Members who cannot afford to live off reserve.
- Indigenous people who are not Nation Members but are connected to a Nation Member via marriage, common law, etc. should be allowed to rent on reserve.
- All rentals should be forced to follow the provincial tenancy act.
- All prospective tenants should undergo a criminal record check.
- Establish mandatory annual reviews of all renters and rental properties.
- Nation Members should not be allowed to profit from a home they did not pay for while there are Nation Members who need housing.
- The ability to rent should be determined by a home-to-home survey.
- The Squamish Nation needs to address homes that are being used as Air BnB's.
- Only basement suites should be made available to rent.
- Nation Members who choose to rent their home should not be made to pay fees that are normally covered by the Squamish Nation.
- Nation Members who choose to rent their home should pay the Squamish Nation property taxes comparable to those paid by homeowners in West Vancouver and Squamish.
- Nation Members should not be permitted to rent homes, instead, the home should be allocated to the next Nation Member.
- Non-Nation Members should be permitted to rent on reserve.
- All renters should be made to attend annual meetings with the housing department to address any concerns.
- All landlords should be made to upkeep their rental to renter's board standards. If the landlord fails to comply with these standards, the home should be revoked.
- There are concerns that homes are being rented to drug dealers.

- It is not fair to Nation Members to allow Non-Nation Members to live on reserve while they are paying for a rental off reserve.
- Any enforcement regarding rental properties should depend on what the homeowner and renter agree on in the tenancy agreement.
- All tenancy applications and tenancy agreements should be standardized and provided to landlords by the housing department.
- If the construction of the home was covered by the Nation Member, then they should be permitted to rent the home. If the construction of the home was covered by the Squamish Nation, then the property should not be available as a rental.
- A portion of all rent proceeds should be given to the Squamish Nation to be added to a housing fund.
- There have been numerous occasions where an on-reserve renter has approached council with concerns, such as when a landlord unfairly increases their rent. This points to the need for rental by-laws.
- If the Squamish Nation finances the construction of a Residence, the house should only be available for rent to Nation Members.
- If a Nation Member self-finances the construction of a Residence, they should be allowed to rent to anyone so long as they are Indigenous.
- The social fabric of the community breaks down when a resident has no connection to the community. Therefore, only Indigenous people should be permitted to rent on-reserve.
- If an on-reserve residence is being rented, the Squamish Nation should not subsidize any fees related to the residence (such as garbage pickup).
- A rental by-law isn't necessary, it is required.
- Renting on reserve is a hot topic that the community needs to decide on.
- Nation Members should be permitted to rent on reserve, but there is a need for residential policies and laws that regulate the relationship between landlord and tenants. Currently, Nation Members who rent on reserve have zero protections and nowhere to settle disputes. Landlords have taken advantage of this situation through unfair evictions, failing to upgrade properties, and increasing rent by 100%.
- Hiya'm Housing has rental laws and a dispute resolution process that could be applied to all on reserve rentals.

- The Squamish Nation needs to implement a permit system for all on-reserve rentals. All Nation Members seeking to use their on-reserve home should seek a permit from the Squamish Nation to do so, just as they would in any other municipality.
- Anyone renting an on-reserve home should be liable for garbage, sewer, water, and other amenities that are usually covered by the Squamish Nation.
- Nation Members should not be permitted to rent their homes until the housing crisis has been resolved. The Squamish Nation should reconsider this question once all Nation Members have been brought home.
- Members who self-finance an on-reserve residence should be permitted to rent the residence to other Nation Members, but they should also be liable for garbage, water, sewer, renovations, and insurance.
- There is currently nothing that governs the relationship between landlord and tenant on-reserve. This is reflected in multiple situations that have been brought to Council, such as: a tenant is caught in limbo because Community Operations can't respond to a renovation request because the home is being rented, a renter's health becomes effected due to issues with mold and heating, a landlord enters the residence without notice. None of this would be tolerated off-reserve. This points to a need for on-reserve landlord and tenant protections.
- There are ten to twenty on-reserve homes that are being rented to non-Nation Members. What will the Squamish Nation do if these tenants refuse to leave once the Housing Framework has been completed? Historically, the Squamish Nation would send in Councilors because they were the only people that on-reserve residents would listen to.
- If the Squamish Nation does not have a residential tenancy by-law in place, tenant and landlord relationships will continue to be marred by complaints. With no by-law in place, tenants will continue to turn to Council to address their concerns. These issues should be solved before they become a problem.
- There is a need for discussion around the rents that can be charged on-reserve. Should it be market rent, below market rent, or geared to income?
- Landlords may not be able to make the same amount of rental dollars on-reserve as off-reserve due to the smaller pool of potential renters.
- All rentals should be posted somewhere public.
- Homeowners should be required to hold a business license from the Squamish Nation to rent a unit on-reserve.

- All business licenses for on-reserve rentals should come with a fee that is used to cover any additional costs that the Squamish Nation is forced to pay, such as to pay for extra garbage, maintenance, renovations, etc.
- Operating an on-reserve rental without a business license should be made illegal, and subject to penalties and/or revocation.

We asked Nation Members if those who are renting should be required to pay for expenses such as renovations, garbage, water, and sewer fees. They responded:

- **Yes:** 88/125
- **No:** 34/125

### **SELLING/GIFTING/INHERITING RESIDENCES:**

Under the current housing policy, Members can receive lots in one of four ways:

Under Section 5.5, Council will allocate all residence's by Council Motion into the name of the applicant only.

Under section 8.15, a member may dispose of their interest in a lot in one of three ways: by gifting, by selling, or by inheritance.

Regarding this section of the Housing Policy, Nation Members commented:

### **SELLING A RESIDENCE:**

- Council should be involved with the sale of any home and provide final approval after interviewing and vetting the purchaser.
- Nation Members should not be allowed to sell their homes or their lot, instead, the home should be allocated to the next eligible Nation Member.