

The International Housing Coalition (IHC)
Case Study 3

Aboriginal Housing in Canada: Building on Promising Practices

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1. EXECUTIVE SUMMARY

The purpose

This study was prepared as part of a series organized by the International Housing Coalition (IHC) for presentation at the World Urban Forum III to be held June 19 – 23, 2006 in Vancouver, Canada. It is the intention of The Canadian Real Estate Association (CREA) and the IHC that the paper will contribute ideas and present experience to assist in the search for solutions to the problem of aboriginal housing.

The problem

Aboriginal housing is the sector of Canadian housing most in need of remedial action. It is a black mark on Canada's otherwise enviable housing record. Aboriginal housing is seriously deficient both on- and off-reserve. Because of a substantial backlog and a rapidly growing population, the problem is deteriorating and badly in need of transformative action.

What Went Wrong?

Extensive discussions among aboriginal housing providers and government officials - known as the Canada-Aboriginal Peoples Roundtable - led to broad agreement on the reasons for the aboriginal housing failure. They include the following: Programs must be driven by the local community and reflect its values and wishes, not imposed by universal, one-size fits all standards and programs. There is an absence of functioning housing markets in many locations where aboriginals live. There is a need for more education in construction, maintenance and administration, particularly in rural and isolated areas. Elected band councils have not always distributed housing resources fairly and efficiently. Band council powers are not clear and the Indian Act has been applied differently in different parts of the country.

The ownership rate among aboriginals is 28.5 per cent, compared to 67 per cent for the Canadian population as a whole. The Indian Act prevents aboriginals on-reserve from obtaining title to land. The Act also forbids the seizure of Indian lands under legal process, preventing legal recourse to enforce a mortgage. The Act thus prohibits the development of successful housing programs. Some bands have used innovative means to establish and maintain successful ownership programs despite the Act.

The growing aboriginal population off-reserve is trapped, in many cases by inadequate income, in others by lack of housing supply, or a combination of both. Many aboriginals migrate to larger cities where rents and house prices are highest.

Models for Transformation

While poor to appalling conditions are all-too-common, this study profiles nine models that, while not perfect, can point the way to transformation. They are existing practices - all the result of aboriginal initiative, development and control, with government funding support.

Six Nations of the Grand River Territory (Ontario) has used a revolving loan fund and agreements with chartered banks to build a successful ownership program. Ninety-five per cent of its units are individually owned.

Tyendingaga Mohawk Territory (Ontario) has done a superb job making ownership available to even low-income buyers while capitalizing on all the benefits, social and economic, of ownership for its community.

Seabird Island (B.C.) residents have researched, planned, and partnered with government and corporations to build model energy-efficient, environmentally-friendly rental units that maintain their identity and meet their needs.

M'akola Housing Group of Societies (B.C.) operate seven housing organizations under a single structure that prevents conflict of interest and nepotism among all participants. M'akola offers a high measure of security of tenure in high-quality urban rental units.

Amisk Housing Association (Alberta) builds and operates housing for large and single-parent families at a flat and reasonable rate of rent. The association also specializes in housing marginalized and transitional aboriginals. Amisk works with the City of Edmonton and a dedicated private-sector builder.

Wigwamen Inc. (Ontario) provides housing for families and seniors in Toronto. The organization has successfully maintained aboriginal identities and a sense of community in Canada's largest city for 34 years. Wigwamen has managed to navigate through the downloading of responsibilities from federal to provincial to municipal governments.

Kinew Housing Inc. (Manitoba) has tapped into the needs of urban aboriginals for 36 years to build rental housing in Winnipeg. Kinew is completing 10 homes for low-income families, the first aboriginal construction in nearly a decade.

Affordable Aboriginal Home Ownership Program (Manitoba) is a project initiated by the Manitoba Real Estate Association to offer ownership to low-income aboriginals. The association is working with aboriginal stakeholders and government to offer a program that assists in purchasing, renovating, and maintaining a home.

Wood Buffalo Housing Development Corporation (Alberta) has adapted provincial housing programs to meet the needs of diverse communities effectively. Wood Buffalo responds to the housing needs of Canada's largest growing municipality while respecting small communities that are partially or overwhelmingly aboriginal.

This paper's scope is limited to on-reserve and off-reserve housing, primarily in or near urban centres in four of Canada's provinces. It does not address equally serious housing challenges in the North.

Discussion

The strengths of all these models are effective community consultation, development, and administration. Aboriginal control is essential. Governments, which have traditionally subjected funding to centralized conditions, have been increasingly open to change. Improved communications and a need for flexibility among aboriginal housing providers will be needed to bring about transformation.

Recommendations

The Canadian Real Estate Association (CREA), sponsor of this paper, for two years has supported the consensus of the federal government and the Assembly of First Nations (AFN) that transformative change is required in aboriginal housing. Last year CREA recommended that the federal government establish a plan with adequate funding to transfer programs to aboriginal housing authorities.

This review of the condition of aboriginal housing on- and off-reserve, with reference to nine models, leads to recommendations that:

- aboriginal stakeholders commit to a new process as proposed in the 2006 Federal Budget. In return for the commitment, the federal government should commit to increased funding annually for five years, at a level that is adequate to reducing current shortages, with allocations specifically designated for housing, both on- and off-reserve. There is no justification to punish people living in unhealthy conditions while governments and aboriginal organizations get their act together.

- the Minister of Indian and Northern Affairs immediately assume direction and control to develop an action plan to address the problem of mold in aboriginal housing.
- the federal ministers responsible for funding aboriginal housing (the Minister of Indian and Northern Affairs and the Minister Responsible for CMHC) ensure that programs are responsive to the needs of local communities: programs should not be guided by standard criteria that may prevent funding from being used where it is most needed.
- the federal government take the initiative to establish an annual results-oriented housing conference. The conference should include aboriginal housing stakeholders, the federal, provincial and municipal governments and the private sector. The purpose would be to share information on what is working, what is not working and why and to monitor progress. Improved communications among the stakeholders will help to ensure that aboriginal communities continue to build on the successes such as those profiled in this paper.
- the federal government and off-reserve non-profit housing providers respond to concerns about the government's new proposal for capital grants in a spirit of full communication and cooperation among all parties concerned. The government proposes to replace operating income top-up subsidies with a system of capital grants. The providers say the grants will not allow them to offset their operating costs
- the provinces "step up to the plate" with specific programs, developed in consultation with aboriginal communities, to address off-reserve housing needs. This paper documents a crisis in off-reserve aboriginal housing. Needs have been demonstrated to justify more effective provincial support. Most provinces have been reluctant even to separate out aboriginal funding from general affordable housing allocations.
- the federal government should begin the process of consultation leading to the introduction of legislation to provide a modern alternative to the Indian Act for land ownership and management that First Nations could adopt when they choose to do so.

2. INTRODUCTION

This study was prepared as part of a series organized by the International Housing Coalition (IHC) for presentation at the World Urban Forum III to be held June 19 – 23, 2006 in Vancouver, Canada. It is the intention of The Canadian Real Estate Association (CREA) and the IHC that the paper will contribute ideas and present experience to assist in the search for solutions to the problems of housing low-income and slum dwellers worldwide. CREA and the IHC both subscribe to the goal *Housing for All* as an essential element to ending poverty. The IHC selected aboriginal housing for this study because it is the Canadian housing sector most in need of remedial action.

The IHC and CREA intend that the paper will serve as the basis for discussion at a networking session at WUFIII on June 20, 2006. The session will feature an aboriginal panel: Dave Tuccaro, President of Tuccaro Inc., of Fort McMurray, Alberta, will be the moderator. The panelists will be Ron Jamieson of Six Nations, Ontario, retired senior bank executive with extensive experience in financing aboriginal homeownership; Beverley Jacobs of Six Nations, President of the Native Women's Association of Canada, who raised awareness of matrimonial real property rights; and David Seymour of Vancouver, founder and President of the M'akola Group of Societies and a director of the National Aboriginal Housing Association.

In 2004 and 2005 extensive discussions, known as the Canada-Aboriginal Peoples Roundtable, took place between aboriginal stakeholders and federal and provincial governments. They identified reasons for serious deficiencies and shortages in aboriginal housing and they recommended action to transform the existing unacceptably bad housing.

This paper builds on the findings of the Roundtable as well as existing research. It aims to present an accurate snapshot of First Nations housing, both on and off reserves, in or near cities in the provinces. And it profiles nine promising models that provide valuable, successful experience that can help to stimulate the transformation of the aboriginal housing sector.

The paper does not pretend to present a comprehensive examination of any one part of aboriginal housing. Nor does it attempt cover the North. While the Inuit people of Canada also face serious housing issues, it is beyond the scope of this study to do them justice.

We have consulted with the aboriginal housing providers whose models are the core of the paper. For on-reserve housing, we have interviewed housing officials at the Six Nations and Tyendinaga Mohawk Territory in Ontario and Seabird Island in British Columbia; Daniel J. Brant, former Chief Executive Officer of the Assembly of First Nations (AFN), housing specialist and author of *Successful Housing In First Nation Communities*; and Ron Jamieson, former senior vice president of aboriginal banking at Bank of Montreal. For off-reserve housing we have cooperated with the National Aboriginal Housing Association (NAHA), its president, Charles Hill, and its member agencies to document off-reserve models for success. We are grateful for the assistance of Canada Mortgage and Housing Corporation (CMHC) and Indian and Indian and Northern Affairs Canada (INAC).

In addition to The Canadian Real Estate Association's funding support, financial assistance for the project has been provided by the Real Estate Foundation of British Columbia, the Alberta Real Estate Foundation and the Ontario Real Estate Association.

The paper was prepared by David Humphreys, CREA's federal affairs advisor, who is a former executive assistant to the Minister of Indian and Northern Affairs, communications director to the House of Commons Special Committee on Indian Self-Government and advisor to the Anglican Church of Canada for the settlement of residential schools issues. Research assistance was provided by Stephanie Farrington, a graduate student in journalism at Carleton University, Ottawa, who has extensive experience reporting on aboriginal issues.

3. DEFINITIONS

Assembly of First Nations (AFN) is a national organization of the chiefs of more than 630 First Nations living on reserve. The chiefs meet regularly to set policy and guide the direction of the AFN. The National Chief (at present Phil Fontaine) is elected every three years by the chiefs. The AFN represents about half of all Canadian First Nations.

Band: Today most bands prefer to be known as First Nations. The terms refer to groups of people who share common ancestry, traditions and values, and who signed treaties with the Crown. Each band or First Nation has its own governing council and one or more elected chiefs.

Canada Mortgage and Housing Corporation (CMHC), as Canada's national housing agency, works to enhance housing finance options, assist Canadians who cannot afford housing in the private market, improve building standards and housing construction, and provide policymakers with the information and analysis they need to sustain a vibrant housing market in Canada. CMHC provides market and assisted housing programs for the construction and renovation of aboriginal housing, and carries out capacity development and information transfer activities to support aboriginal housing. CMHC also offers financing techniques to stimulate market conditions on reserve.

Congress of Aboriginal Peoples (CAP) is an umbrella organization representing Indian and Metis people living off reserves. Its affiliated organizations are open to membership from more than 800,000 people of aboriginal ancestry living off reserves. CAP maintains a national office where it develops expertise and formulates policies on a range of aboriginal issues.

Core housing need refers to a benchmark established by Canada Mortgage and Housing Corporation. A household is said to be in core housing need if its housing falls below at least one of the adequacy, suitability, or affordability standards and would have to spend 30 per cent or more of its before-tax income to cover the median rent of alternative local housing that is acceptable (meets all three standards of adequacy, suitability and affordability).” The 2005 Canadian Housing Observer puts the number of households living off-reserve in core housing need at 23.8 per cent, based on 2001 census data. The core housing need of non-aboriginal households is 13.5 per cent.

Elder: An individual whose life experience, age, knowledge of the community, training in traditional and spiritual practices, combined with personal history, have made the person a valued source of wisdom and leadership in the community.

First Nation: The term came into use in the 1970s to replace the word Indian, which many people found offensive. Although widely used, the term First Nation has no legal definition. Members of First Nations are persons who are registered under the Indian Act.

Indian Act: The federal legislation, passed in 1876, that sets out federal government obligations and regulates the management of Indian reserve lands. The Act assigns responsibility for aboriginals living on reserves to the federal government.

Indian and Northern Affairs Canada (INAC) has primary, but not exclusive, responsibility for meeting the federal government's constitutional, treaty, political and legal responsibilities to First Nations, Inuit and Northerners. It is responsible for delivering provincial-like services such as education, housing, and community infrastructure to Indians on-reserve, and for delivering social assistance and social support services.

Métis has come to be used as a term for an individual who is of mixed aboriginal and non-aboriginal descent. Métis culture is rooted in the traditions of the French voyageurs in combination with the indigenous people who lived along voyageur trade routes.

Métis National Council represents the Métis Nation nationally and internationally. The Métis people consider themselves a distinct aboriginal nation, based largely in western Canada, with a shared history, a common culture (song, dance, dress, national symbols) and language.

National Aboriginal Housing Association (NAHA) is a membership-based organization that represents the political interests of 90 non-reserve aboriginal housing providers in cities and towns across Canada.

Reserve: Land set aside by the federal government for the use and occupancy of an Indian group or band.

4. THE CANADIAN ABORIGINAL POPULATION

In the 2001 Census, 976,305 persons identified themselves as North American Indian, Métis or Inuit. Of those, 558,175 identified themselves as registered Indians (with virtually the same number claiming membership in a band) and 292,310 identified themselves as Métis. About a quarter of the North American Indians and two-thirds of the Métis lived in urban areas. Most of the balance of the Canadian aboriginal population is Inuit, the aboriginals who live mainly in small communities north of the 60th parallel.

Fully one-quarter of the total aboriginal population lived in 10 metropolitan areas. Winnipeg had the greatest number, 55,755, accounting for 8.4 per cent of the total population. The aboriginal population of Winnipeg grew by nearly seven per cent in the five years from 1996 to 2001. Winnipeg is followed by Edmonton with an aboriginal population of 40,930, Vancouver (36,860), Calgary (21,915) and Toronto (20,300). In Wood Buffalo Regional Municipality, which includes the oil sands development around Fort McMurray, Alberta, aboriginals account for almost 12 per cent of the population.

Census data show steady growth in the aboriginal population. A growth rate of 22 per cent since 1996 compares to 3.4 per cent for the non-aboriginal population. More than half the population is under 25 years of age. The census notes that underreporting and incomplete enumerations for various reasons are higher among the aboriginal population than elsewhere, leading to somewhat higher estimates of the total numbers for all categories than the official census reports.

The aboriginal population in 2001 accounted for 3.3 per cent of the Canadian population, up from 2.8 per cent in 1996. The aboriginal share of the total population places Canada third behind Greenland (Denmark) whose population is 80 per cent aboriginal and New Zealand whose Maori population represents 14 per cent of the total. Aboriginals account for 2.2 per cent of Australia's population and 1.5 per cent of the population in the United States.

5. THE CONDITION OF ABORIGINAL HOUSING IN CANADA TODAY

5.1 The Condition of Aboriginal Housing On-Reserve

Aboriginal housing is almost all publicly assisted housing. Federal subsidies have been the basis for the construction or purchase of most aboriginal housing. Most aboriginal people on-reserve live in band housing, i.e., housing built, managed, and owned by the band.

Indian and Northern Affairs Canada (INAC) and Canada Mortgage and Housing Corporation (CMHC) are the main federal entities responsible for funding housing programs on-reserve. They have funded the construction of 89,000 units over 30 years. They have spent \$3.8 billion on aboriginal housing over the last decade alone.

The ownership rate among aboriginals is 28.5 per cent, compared to 67 per cent for the Canadian population as a whole. Much of the aboriginal ownership has been made possible because certain First Nations have used federal subsidies to establish housing funds that provide loan financing to individual band members. *(A more detailed explanation of aboriginal homeownership is contained in Section 7).*

Many aboriginal individuals and band councils believe they are entitled to housing, provided by the federal government, as a "Treaty Right". Those who hold this belief are reluctant to make a financial contribution to housing programs, seeing any contribution as a surrender of treaty rights and an erosion of benefits to be passed on to future generations. This is an issue of lively debate within the aboriginal community.

The Assembly of First Nations (AFN) says there is a current urgent need for 80,000 new units across Canada, and 44 per cent of the existing 88,750 houses are in critical need of repairs. As years pass without new building goals being met, the number of units urgently needed to house the aboriginal population increases exponentially. According to the 2001 census, 54 per cent of houses on-reserve are in substandard condition. Eleven per cent are overcrowded compared to one per cent elsewhere in Canada.

Before the 1990s, almost all reserve housing was centrally designed and delivered. Houses were built with plans made available by the federal government. As a result, most reserve housing dating from the 1960s, 70s and 80s consists of raised bungalow style

houses built on a wood frame. These houses are prone to mold problems, largely because of inadequate ventilation. They are also not large enough to accommodate most aboriginal families.

The leading problems common to much of aboriginal housing are mold contamination contributing to health issues, overcrowding, and inadequate maintenance. Mold is attributed to improper construction, particularly inadequate air circulation and ventilation causing excessive humidity, and poor maintenance. Across the country, 93 First Nations communities were on boil-water advisories as of November 2005. At Six Nations - a model for aboriginal homeownership (described in Section 8.1) - 80 per cent of the community is under a boil advisory. Many are long-term. It is not uncommon for a community to live with an advisory for years. Boiling requirements contribute to increased condensation in the home which, without proper ventilation, causes mold.

Maintenance is poor for several reasons. Some reserves are remote. Few have resident builders or tradespeople. Overcrowding itself is a major problem. Indian and Northern Affairs Canada has reported that 19 per cent of the dwellings on reserves have more than one person per room, compared with 2 per cent for Canada as a whole. Overcrowding can greatly increase the risk of transmitting communicable diseases. "As the average number of persons per room increases, so does the rate of tuberculosis." Tuberculosis is nine times more prevalent in the aboriginal population than in the Canadian population as a whole.

HIV/AIDS, tuberculosis, asthma, depression, alcoholism, drug-dependency and domestic violence all occur at higher levels in populations living on-reserve. Suicide and self-injury are leading causes of death for youth and adults up to age 44 years. The only measured health problems that do not appear in higher-than-average percentages in the aboriginal population are cancer and stroke.

In the fall of 2005 Canadians became aware of conditions on the Kashechewan Reserve in northern Ontario because contaminated water forced a mass evacuation of residents. In the ensuing media coverage, it emerged that the Cree community had just 230 houses for 1,600 people, with an average of seven people sharing a house and families sleeping in shifts.

The following examples from recent news coverage, further illustrate the seriousness of the housing crisis:

- On the Blood Reserve in southern Alberta, every other day, Leonard Bullshields hitchhikes into Stand Off, the main community, and fills two buckets of water at the town cistern. Bullshields doesn't have indoor plumbing at his house on the reserve. For him, his wife and young daughter to have a bath or shower, they must hitchhike into Stand Off to use a relative's bathroom.
- On the Mathias Colomb Cree Nation, 800km north of Winnipeg, 30 houses will have to be demolished due to soil contamination – and when they go, they'll worsen a housing shortage on the reserve that's already severe. An average of nine people live in each house at Mathias Colomb, and one home is housing 21 people. The band has 229 homes for about 2,600 people.
- In Mishkeegogamang, one of two villages in the Sioux Lookout district of northern Ontario, three-bedroom houses hold up to 21 people; parents share fetid single mattresses, children sleep on the basement floor, and it is not uncommon for people to sleep in shifts, in order to have a bed.

Federal funding for housing on-reserve

Funding for aboriginal housing programs on-reserve has remained at about \$261 million annually for the last 15 years. The 2005 federal budget provided a total of \$200 million for 2006 and 2007.

The distribution of housing funds to reserves (First Nations) differs from province to province. All First Nations fill out applications for capital funding which are then submitted to Indian and Northern Affairs Canada. In most cases federal funding for housing is included in a capital grant and must be allocated by each band council. Where this method of funding distribution is adopted, housing concerns compete with other community services such as road repairs and water treatment for a share of the capital grant.

Bands in some provinces have preferred to receive funding dedicated to housing on a case-specific basis. Those bands apply for housing funds separately. In consultation with a regional INAC representative, amounts are determined based on specific projects proposed and the needs of the community.

Some bands do not charge their members rent for the use of band housing. These bands consider housing a

treaty right, meaning that the federal government is responsible for covering the entire cost of housing each individual. When no rent is charged there is no way to recover the money invested in housing from one year to the next. This approach is partly responsible for deteriorating housing and maintenance problems on these reserves.

Regionally, Indian and Northern Affairs Canada works with First Nations to determine relevant selection criteria for funding distribution. The criteria include income averages, condition of the present stock of housing and immediate need. Once the selection criteria have been determined, available funding is shared among applicants accordingly.

Beginning in 2006, First Nations are receiving a portion of the revenues from the gasoline tax that the federal government has agreed to share with municipalities for infrastructure maintenance and renewal. They are also eligible for other infrastructure grants through Natural Resources Canada. Unless there is a specific agreement with a band to share revenues from band-held corporations or other businesses, individual band members do not receive any kind of monthly stipend. In some provinces aboriginals receiving social assistance who live on-reserve are not eligible for a monthly shelter allowance given to provincial assistance beneficiaries living off-reserve. However, if a reserve offers rental housing to all its residents a federal shelter allowance is available to any who need it.

5.2 The Condition of Aboriginal Housing Off-Reserve

In Section 4, we noted growing aboriginal population living off-reserve in cities. The Congress of Aboriginal Peoples (CAP), represents aboriginals living off-reserve. CAP says only half the people who migrate to cities in search of housing, employment or education are able to find housing.

Those who are unsuccessful usually take up temporary residence as houseguests in the homes of friends or relatives. After months of “couch surfing” the anxiety and frustration of living without any security of tenure can become overwhelming. Life on the streets is only one step away. Financial pressures and years-long waiting lists mean there is a much higher-than-average degree of homelessness among aboriginal families waiting for subsidized housing.

The Congress cites an unacceptably high degree of core housing need for Canadian aboriginal families and individuals living off-reserve. In addition, many others do not qualify because they are living with family or friends, or have no housing at all. The homeless are difficult to quantify since they have no stable location.

The University of Winnipeg's Institute of Urban Studies published a study on May 2, 2006 saying that "hidden homelessness" has become so acute that governments must either make more units available or subsidize families that take in homeless relatives.

About 220 homeless aboriginals in Winnipeg, Regina and Saskatoon participated in the study. Among its findings: aboriginal account for up to 70 per cent of Winnipeg's homeless; 44 per cent of respondents had lived in three or more accommodations over a six-month period; 75 per cent said they were living with family or friends; 55 per cent reported an annual income of less than \$10,000 while 20 per cent had no income; 52 per cent said they lived in crowded conditions.

The Manitoba Urban Native Housing Association (MUNHA) has a waiting list of 4,000 families for 1,595 units in the province, 965 of which are in Winnipeg. "We feel we're in a crisis right now," executive director Ed Tanner said.

The National Aboriginal Housing Association (NAHA) position paper, *A New Beginning: The National Non-Reserve Aboriginal Housing Strategy*, says aboriginal renter households live in lower quality dwellings than the rest of the population. More than 16 per cent of rented dwellings are in need of major repair. Thirty-seven per cent of aboriginal households spend more than a third of their income on rent and 15 per cent have a severe rent burden, paying more than half their income for shelter. The study says aboriginal income is roughly 87 per cent of non-aboriginal income, meaning aboriginal families and individuals have even less money to spend on rent and other necessary expenses.

Until recently, aboriginal housing programs off-reserve were virtually all rental and social housing. Typically, a corporation or society was formed to purchase, renovate and manage rental housing. Off-reserve rental programs have been responsible for a lot of positive change. They offer stable, housing to aboriginal families who have left marginal conditions on reserves, or who have had a history of living in substandard urban housing located in high-crime neighborhoods.

Some aboriginals who live off-reserve own their homes in the same way as non-aboriginals. Their numbers are comparatively low. For example, Manitoba has an aboriginal population of 80,000 living off-reserve. Twenty six per cent of aboriginals in Manitoba live in owner-occupied homes compared with 77 per cent for non-aboriginal Manitobans.

An innovative program in Winnipeg has made encouraging progress helping low-income renters buy a home while at the same time contributing to inner-city revitalization. The Housing Opportunity Partnership (HOP) is a not-for-profit initiative to reclaim streets and neighborhoods by acquiring houses in need of repair, completely upgrading them, and selling them to new owners. Recognizing that many low-income candidates have little or no savings but can afford a modest mortgage payment, HOP assists them with down payment support.

HOP is not targeted exclusively to aboriginal people. But in light of the demographics of Winnipeg, 20 per cent of all HOP buyers have been aboriginal. HOP generally has recorded a very low turnover rate, no higher among aboriginal owners than among any other profile. HOP has discovered that, once in a home, the owner understands the benefits of building equity, and makes every effort to meet mortgage payments and maintain the property.

The Winnipeg Real Estate Board spearheaded the founding of HOP in 1998 and continues to play a key role in what has become a multi-stakeholder venture. The Manitoba Real Estate Association (MREA) has taken the HOP experience into account in its current initiative for aboriginal home ownership. The MREA is building a partnership with aboriginal and other stakeholders, provincial and municipal governments to establish a one-stop program that will allow modest-income aboriginal people living off-reserve to purchase a home. The status of this Manitoba model is outlined in Section 8.7.

6. WHAT WENT WRONG – THE REASONS FOR FAILED HOUSING

6.1 What Went Wrong?

Reasons for Failed Housing On-Reserve

The reports on the Canada - Aboriginal Peoples Roundtable summarized in these words: “The problem is threefold: lack of adequate incomes to support the private acquisition of housing, absence of a functioning housing market in many localities where Aboriginal people live, and lack of clarity and agreement on the nature and extent of government responsibility to respond to the problem.”

Diversity, while a cultural strength, was identified as a hurdle to overcome as programs are applied from one community to another. Delegates concluded government should reflect the values of the aboriginal population, both in the application of assistance programs and in the standards for homes.

Delegates recommended programs be more flexible and responsive to the requirements of geography, culture, language and social structures. They recognized the government’s good intentions in creating housing programs that are universally applicable. But they said few communities are well served through the application of universal standards to a multifaceted community.

Because many reserves are in rural or isolated areas there is a need for more education in the construction, maintenance and administration of housing. Residents may not have the expertise to navigate the present system. A population burdened with inadequate housing is not well placed to cope with technically complex application forms requiring a high degree of fluency in government standards, verbiage and processes.

The Roundtable identified the problems of distribution of housing resources by elected councils. Because the councils are politically elected bodies they must consider political factors when dealing with housing. Decisions that must be made are not always popular. An elected council cannot be depended on for a consistent level of expertise with regard to housing on-reserve.

Over decades, changes in government policies and shifting priorities have resulted in promises made, only to be changed after an election, or dropped altogether. As a result, it has become a challenge to maintain confidence in the Canadian government and to trust in

the system’s ability to assist with meaningful change after so many years of mismanagement.

There is an excellent current example. Housing needs were addressed at a meeting of Canadian first ministers and aboriginal leaders held in November, 2005 in Kelowna, British Columbia. The previous federal government committed at the meeting to allocate \$1.2 billion to housing over five years, and agreed to work with the provinces, territories and housing providers, both on- and off-reserve on implementation.

A new federal government took office after the general election of January 23, 2006. The new government said the previous government did not actually allocate funding to carry out its commitment at Kelowna. In its budget, tabled on May 2, 2006, the new government said it remains committed to meeting the Kelowna targets. While it, too, declined to allocate long-term funding, it did allocate \$300 million for aboriginal housing off-reserve and \$300 million for housing in the northern territories, both effective in 2007 and both over three years.

The government said it will work with aboriginal leaders and the provinces to develop a new approach that will deal with root causes and structural issues. While the new government may well be committed to the original targets, additional delay is inevitable while a new approach is developed.

The flip side of the lack of aboriginal trust in official processes is a perceived lack of faith on the part of government officials in aboriginal ability to assume control of housing. The aboriginal community believes government officials see the community not as partners but as clients who do not play an active role in problem-solving. This has led to poor communication on both sides.

In the past it was common practice to bring experts from the cities to isolated reserves. The practice was costly and provided no lasting benefit to the community. Improving self-sufficiency would help to solve community problems while increasing the level of economic and social self-reliance.

Roundtable delegates pointed out that the success of any social program depends on community involvement. Aboriginal people, not non-aboriginal government officials, should deliver housing programs. The Roundtable was concerned with the

intransigence of government funding bodies. “The government is inflexible with regard to innovations in funding.” This inflexibility inhibits creative, self-generated solutions to long-standing problems. When programs are changed or moved from one branch of government to the other the process is unilateral – aboriginal communities are not consulted. Full consultation needs to be a priority between government officials and aboriginal communities.

Reports of the Auditor General

The Auditor General of Canada conducts periodic audits of all federal spending, and reports to Parliament. The Auditor General reviewed federal aboriginal housing programs in 2003 and again in 2006. Overall, the Auditor General’s report, released on May 16, 2006, providing encouraging evidence that federal programs are being better managed and delivered.

The biggest failure, according to the most recent report, is that federal organizations have not developed a comprehensive strategy and action plan to remedy the problem of mold in houses on-reserve. This was a leading recommendation of the Auditor General’s 2003 report. While several federal organizations have been active on separate programs for such worthwhile subjects as education and prevention, the scope of the problem has yet to be identified and action taken.

In her 2003 report, the Auditor General said Indian and Northern Affairs Canada (INAC) and Canada Mortgage and Housing Corporation (CMHC) needed to reach agreement on their respective roles and responsibilities for addressing the housing shortages on-reserve; to streamline program structure and delivery; to ensure that all their subsidized housing complied with the National Building Code; and to ensure that housing plans are used as intended to comply with federal policy.

In her 2006 report, the Auditor General reports satisfactory progress has been made in addressing all these issues. INAC and CMHC, in consultation with aboriginal organizations, have developed a management control framework; they are streamlining delivery processes; building codes and standards are being met; and improvements have been made in the use of community housing plans.

The 2006 report did not comment on funding levels. The 2003 report said current levels were inadequate (they have not been increased since). “Despite some

progress, the current level of investment by all parties is insufficient for many First Nations to sustain improvements and keep pace with the demand over the long term. As a result, the high levels of substandard housing and overcrowding are expected to continue,” the 2003 report said.

Funding for aboriginal housing programs on-reserve has remained at about \$261 million annually for the last 15 years. A further \$66 million (in total) is allotted to reserve communities annually for infrastructure.

The 2003 report said powers of band councils are not clear, longstanding rules are not clear and the Indian Act is applied differently across the country. Adding to the difficulties in clarifying the powers and responsibilities of band councils, the Auditor General said, is a lack of understanding and/or agreement on where power and responsibility for housing rest.

Matrimonial Property Rights – Impact on Housing

As a result of amendments to the Indian Act, more than 120,000 aboriginals have regained the right (lost through marriage to non Indians) to qualify for benefits as Indians living on-reserve under the Act. Most are women and their children. Some bands have refused to recognize their regained status, a factor that has a major impact on housing needs. In addition, they do not have the same property rights as non-aboriginal Canadian women. Under the Indian Act they have no right to an equal share of property on marriage breakdown. Denied housing, or discriminated against on reserves, these women have been flocking to the cities where their chances are not much better.

6.2 What Went Wrong? Reasons for Failed Housing Off-Reserve

The National Aboriginal Housing Association (NAHA) position paper, written by its president Charles Hill, a long-time advocate for improvements to Canadian aboriginal housing, pointed out that in 1972 the federal government declared that access to adequate housing was a right of all Canadians, including aboriginal people. The government committed to the building or acquisition of 50,000 housing units for aboriginals living off-reserve. “In the intervening 30 years, less than 20,000 units were delivered -- 9,000 in rural communities and 11,000 in cities and towns. With the exception of a few locally supported initiatives, no new housing has been constructed for non-reserve aboriginal households since 1993.”

As Mr. Hill's report says, the federal government in 1993 stopped funding the construction of new units for social housing, including aboriginal social housing off-reserve. The move was part of a general devolution of funding for housing to the provinces. In Canada constitutional responsibility for off-reserve aboriginals and housing generally are both provincial responsibilities. However, the federal government has played an important supporting role by providing funding, through agreements with the provinces, to areas of constitutional provincial responsibility. The aboriginal population has seen devolution as an attempt to walk away from the issue by the federal government. Provincial funding has differed both in quantity and in terms of delivery and criteria from one province to another.

Housing Provider Perspective

The federal government has continued to cover expenses in excess of income incurred by non-profit housing providers off-reserve, including M'akola, Amisk, Kinew and Wigwamen, the models profiled in this paper. The providers have been required to report income from rents and fundraising as well as expenses, including operating costs, renovations, maintenance, renovations and mortgage payment shortfalls.

In the 2006 budget the new government proposed to replace income support subsidies with capital funding to the provinces that, in turn, would provide grants to non-profit housing providers. The providers would be expected to use the funds to pay off outstanding mortgages. Owning the rental properties outright, the government proposes, would allow the providers to operate without top-up subsidies.

The providers say the proposal will not solve their problems. Many operate in high cost urban markets. They say relief from mortgage payments, highly subsidized (by the providers) rent payments and limited fundraising will not offset high property taxes (aboriginals off-reserve are not exempt from taxation), staff salaries, maintenance and all the usual operating expenses.

This discussion revolves around supporting existing housing – not about funding new housing that statistics and reports like the University of Winnipeg's Institute for Urban Studies one prepared by the show is urgently needed.

Housing Client Perspective

Because aboriginal incomes tend to fall below the Canadian average there are large concentrations of aboriginal families living in inner-city neighborhoods faced with high incidences of crime. Overcrowding comes about as a result of family members or friends moving to a city without first securing permanent housing. While seeking jobs and housing, these people tend to double-up or couch surf, often contributing to rent paid by the household.

Experts on the homeless confirm a disproportionately high incidence of homelessness among urban aboriginals. When statistics on population growth and urban migration, shifts in housing policies, and the concerns of the roundtable and aboriginal organizations are all taken into account, the signs point to a looming off-reserve housing crisis.

Many problems experienced by aboriginal individuals off-reserve are similar, if not identical, to those faced by non-aboriginal Canadians living in poverty. The Roundtable pointed to the high percentage of single parent families headed by women living in poverty off-reserve. According to CMHC's 2001 census-based data 71.2 per cent of single-parent aboriginal households live off-reserve and 82.5 per cent of these are single female parents. More than half of all female single-parent households live in core housing need.

Women's rights to matrimonial property and housing conditions endured by disenfranchised aboriginal women, particularly single parents, were subjects of particular concern at the roundtable. Single women living below the poverty line experience a wide variety of challenges with housing. Partly because they are unable to find housing on reserves, there has been steady movement of single women to cities in search of economic advantages to support their children.

7. CONSTRAINTS ON ABORIGINAL OWNERSHIP

7.1 Constraints on Aboriginal Ownership On-Reserve

Aboriginal home ownership on-reserve, as outlined in two of our models, does not have the same economic value as ownership off-reserve. While aboriginal ownership does offer some security of tenure, the level of security falls short of the standard for non-aboriginal ownership in Canada. Thus it lacks all of the benefits that are commonly associated with ownership in western societies.

Under the Indian Act, a First Nation (or band) does not own reserve land but has a right to use it. The band cannot sell land to band members but may give them a right to occupy or live on the land or in a house on the land. Indian and Northern Affairs Canada offers this explanation:

“Bands have different systems for assigning land and housing on reserves. It may be: land for which a person has a Certificate of Possession; or land that is used by a person or family members through tradition or custom.

“Band councils may allot a part of reserve land to an individual band member for personal use. The Minister of Indian Affairs and Northern Development must approve the band council's decision. Once approved, the member receives a Certificate of Possession. It entitles the person to use the land and the housing on it or to build housing on the land.

“The person who has a Certificate of Possession may transfer it to another member of the band or to the band with the approval of the Minister. Certificates of possession are recorded in Indian and Northern Affairs Canada's Reserve Land Register. Some bands make an allotment jointly to a husband and wife who are both named on the Certificate of Possession. Generally, however, joint certificates of possession are not commonly issued.”

Innovative First Nations have been able to use the Certificate of Possession, both as a means of enforcing loan agreements and as an equivalent of a title to allow transactions among their members.

Section 89(1) of the Indian Act provides that reserve lands and assets owned by an “Indian” located on-reserve cannot be mortgaged, pledged, attached, levied, charged or seized by a non-Indian. As a result

there have been limitations with respect to the provision of housing financing on-reserve.

Some financial institutions get around the limitations by providing mortgage loans to individuals under an agreement with the band to act as guarantor for the loans.

Daniel Brant, a member of the Tyendinaga Mohawk Territory who has extensive housing policy experience, says: “The Indian Act is the primary prohibitive factor in the development of lands and successful housing programs on Indian lands. The legal concept of fixtures states that any built structure attached to land becomes part of the land and falls under... the Indian Act...Aboriginal people are seen as tenants on reserve land.... ...because housing is attached to the land there is no recognized economic value attached to the house.”

Mortgage insurance underpins homeownership for millions of Canadians with mortgages that exceed 75 per cent of the value of the property. Insured financing normally relies upon security against the land and the personal covenant of the borrower. As Section 89(1) of the Indian Act provides that reserve lands and assets owned by an “Indian” located on-reserve cannot be mortgaged, pledged, attached, levied, charged or seized by a non-Indian, there have been limitations with respect to the provision of housing financing on-reserve. Insured financing has therefore traditionally relied on the use of a Ministerial Loan Guarantee (MLG) to replace a lender's inability to take mortgage security or act on the personal covenant of an on-reserve borrower. Canada Mortgage and Housing Corporation (CMHC), the largest provider of mortgage insurance, has launched a pilot product for homeownership mortgage loan insurance on-reserve, that does not require the use of a MLG. Nak'azdli Band Council of northern British Columbia signed the first trust agreement under the pilot in November 2005. CMHC is interested in extending the product to other interested First Nations that meet the eligibility criteria.

Ownership models developed by First Nations, working with these restrictions, are examined in Sections 8.1 and 8.2.

7.2 Constraints on Aboriginal Ownership Off-Reserve

The constraints on home ownership off-reserve are essentially the same as those on all Canadians: the inability to save a down payment, and/or the inability to meet mortgage payments; lack of the skills required to manage and maintain the home; and, in some circumstances, the lack of modestly-priced first homes. Migration is often to the larger cities where prices to rent or buy tend to be highest.

Aboriginal people living off-reserve are eligible for social assistance programs of general application. In some provinces, those eligible for social assistance receive a monthly shelter allowance.

8. PROMISING MODELS FOR TRANSFORMATION

We profile two examples of aboriginal ownership and one of rental housing, on-reserve. The ownership models are the originals but they are, fortunately, no longer the only ones. At present, 40 First Nations have either implemented home ownership financing arrangements with banks or are in the process of doing so. On-reserve housing is by definition available only to members of a band or First Nation.

For off-reserve housing, we summarize the characteristics of four housing organizations that provide off-reserve rental and transitional housing. They are all members of the National Aboriginal Housing Association that represents providers in most provinces and territories. In addition, we report two current non-aboriginal initiatives to provide off-reserve housing for aboriginal people – the experience of the Wood Buffalo Housing and Development Corporation and the Manitoba Real Estate Association's Affordable Aboriginal Home Ownership Program. Off-reserve housing is available to all aboriginals – status and non-status Indians, Métis and Inuit.

- Six Nations of the Grand River Territory (on-reserve, aboriginal homeownership in western Ontario);
- Tyendinaga Mohawk Territory (on-reserve, aboriginal homeownership in eastern Ontario);
- Seabird Island (on-reserve rental housing in the lower mainland of British Columbia);
- M'Akola Housing Group of Societies (off-reserve urban rental and social housing on Vancouver Island, B.C.);
- Amisk Housing Association (off-reserve urban rental, high-risk clientele; transitional housing, in Edmonton);
- Wigwamen Inc., (off-reserve urban housing services in Toronto).
- Manitoba urban projects (off-reserve rental and homeownership in Winnipeg);
- Wood Buffalo (off-reserve urban rental and transition to homeownership in northern Alberta).

8.1 Six Nations of the Grand River Territory - Homeownership On-Reserve

Location:	Six Nations Reserve, near Brantford, Ontario
Record:	38 years
Primary Strength:	Adaptation to urban reality/ flexible opportunities for home ownership/self-sufficiency

Mary Bloomfield served as secretary to the Six Nations Band Council for 27 years. She remembers when Six Nations housing was available only to people on welfare. Nearly 40 years ago the band council decided to try to change that.

Led by Norman Lickers, a councilor who was the first aboriginal lawyer to be called to the Bar of Ontario, the band put forward a proposal to Indian and Northern Affairs Canada in 1968. The band would accept the \$125,000 offered to fund housing on the reserve if it could be used to start a revolving loan fund for members who were not indigent but still wanted to live on-reserve.

“Council came up with the idea because the other programs didn’t give people who weren’t indigent a chance to get housing,” Ms. Bloomfield says. “The ordinary person didn’t have a chance. You had to be on welfare to get housing.”

The council knew it had to find a way to make a little money go a long way. With \$125,000 in start-up capital, it offered loans up to \$7,000. To qualify for a home, a member client needed a Certificate of Possession (CP), providing a right to a lot. The Certificate of Possession acts as the equivalent of a title. There were provisions for sweat equity where a downpayment might present a major obstacle. The band held the member’s Certificate of Possession until the home was paid off, at which time the certificate was returned to the client.

CP holders today are given access to the revolving loan fund for a loan of up to \$105,000 at a fixed interest rate to build a home. The holding of the CP by the band for the duration of the loan allowed it to enforce payment and collect on a default. In fact there have been few of either - about 25 foreclosures since 1969.

Since 1985, participating in Canada Mortgage and Housing Corporation’s Section 95, the band secured financing and created three subdivisions with 273 units.

As the popularity of the program grew so did the waiting list. Six Nations began looking for alternative sources of finance. In the mid-nineties, the band entered into agreements with two Canadian chartered banks, Bank of Montreal and Royal Bank, to establish on-reserve housing loan programs. The band took responsibility for guaranteeing the loans, setting a limit of \$18 million to protect itself from risk.

The bank programs have proved highly successful and have become essential to the band’s ownership program. Clients may obtain loans of up to \$115,000, going through a disclosure process similar to any standard mortgage transaction. The big difference is that the client’s CP must be transferred to the band for the duration of the loan.

Today, of the 2,695 housing units at Six Nations, 95 per cent are individually owned. Ownership is the band’s most popular program. Interest in home ownership on the reserve is increasing.

The principal strengths of the Six Nations housing model are flexibility and economic sustainability. The housing programs on the Six Nations reserve have been steadily growing over 40 years.

Challenges

- By 2025, the population is projected to grow (at the rate of 2.6 per cent) requiring an additional 4,454 homes. Resources, as well as the restricted land base, to accommodate this need will be a challenge.
- Providing loans and rental units for the 1,200 people now on Six Nations’ waiting lists, is a challenge.
- Limited dollars and huge demand dictate that loan maximums be imposed. This restricts members from building the home they want. Lifting the maximums and allowing applicants to borrow the amount they request, and are fully capable of repaying, is a challenge.

Six Nations is the largest First Nation community in Canada and is considered an urban reserve in a prosperous region. It is close to Brantford, a city of nearly 100,000, Six Nations is within daily commuting distance of Toronto, London, Ontario, and upstate New York.

8.2 Model: Mohawks of the Bay of Quinte - Aboriginal Ownership On-Reserve

Location:	Tyendinaga Mohawk Territory, near Belleville, Ontario
Record:	35 years
Primary Strength:	Economic Development/ Self-reliance

Thirty-five years ago Tyendinaga Mohawk Territory began pooling federal housing subsidy funds instead of awarding them to individual band members. This became the basis for Tyendinaga's revolving loan fund that underpins its homeownership program.

Members of the Tyendinaga Mohawk Territory who held the land were invited to apply for a mortgage. Because reserve land cannot be mortgaged by conventional means, the band took on the function of a financial institution.

The Tyendinaga program concentrates economic opportunities within the community. The band chose not to use a lending institution because it knew there would be a cost to doing business. Members felt they could increase prosperity in their community and do a better job of providing housing if they could keep all the funding acquired for housing delivery and administration circulating within their own community.

The system allows members who purchase or build a home to make mortgage payments to the band's housing fund. This preserves the bulk of the band's funding as capital and allows for more mortgages to be granted.

As the equivalent of a mortgage lender, the band retains possession of the Certificate of Possession, the equivalent of title while the loan is outstanding. When the loan is fully repaid the owner receives the certificate.

Today, 375 Tyendinaga residents have mortgages held by the band. Mortgage payments under \$500 per month make homeownership a viable option for the majority of the community's population.

"In an era where home ownership is just a dream for many disadvantaged or lower income families, our project is innovative, in that hundreds of housing loans have been issued to young, working couples, elders, and even those on social assistance," says Chris Maracle, director of housing, parks and band property maintenance.

Interest raised from pooled financial resources also goes into community development projects such as the building of energy efficient, fully accessible, granny flats, parks and roads programs. Through the revolving loan fund the band is able to ensure the economic stability of its housing programs.

With revenues from the mortgage business, the band has built about 100 rental homes. Most of them are certified as energy-efficient R-2000 homes. They are located on fully-serviced 75-foot lots and rent for \$476 a month.

Tyendinaga's housing program has resulted in economic benefits to the community as a number of small businesses including builders have been started to service the needs of increasingly affluent homeowners living on the territory. Tyendinaga has about 800 homes, about 85 per cent of which are privately owned. The community has an economic development office to help new businesses get a solid start.

Mr. Maracle oversees a 20-person department consisting of members who are carpenters, painters, electricians and apprentices. When it is necessary to use the services of businesses beyond the scope of the band's own workers, the housing department gives priority to businesses based in their community.

Tyendinaga has won more than 17 awards for its innovations in home ownership and energy-efficient housing on-reserve, including a CMHC award for Affordable Housing Innovation in 2002 and the R-2000 Technical Award for Excellence for the best tract or production homes in Ontario.

Community pride is a major component of its success. Values of self-reliance and economic responsibility are instilled at an early age. School children have attended a workshop about sustainable housing while still in elementary school.

Tyendinaga meets several recommendations of the roundtable, including the need for more economic development, more self-reliance, self-directed housing programs that are tailored to the community and the innovative use of government funding.

Tyendinaga is just outside Belleville, Ontario, a small city that serves as the hub of Prince Edward County, a prosperous area with a population of about 147,000.

8.3 Model: Seabird Island - Rental Housing On-Reserve

Location: Agassiz, B.C. (near Vancouver)
Record: new
Primary Strength: Community inspired and directed housing/ durability/ energy efficiency.

Aboriginal and non-aboriginal supporters alike have praised this small pilot project. Its strength lies mainly in the procedure used for developing and designing the seven-unit dwelling on-reserve.

From its inception, Seabird Island was a co-operative project between the Sto'lo people, Canada Mortgage and Housing Corporation and Indian and Northern Affairs Canada. The participants were determined to respect the cultural traditions of the Sto:lo nation. As a result, members of the community saw their collective wishes carried out without compromise.

The Sto'lo reserve is situated within the Pacific Coast Rainforest. The reserve lives with high winds and driving rain for six to eight months of the year. Rather than see this as a limitation, the people of Seabird Island decided to build a project to complement the climatic conditions. The project uses collected rainwater for a variety of purposes, most importantly, flush toilets. Three windmills generate enough power for the homes and produce a surplus. The surplus is sold back to the province of British Columbia. Over the long term, savings in energy costs may be significant. It remains to be seen if these savings will offset the more than \$1.5 million in federal funding, relatively high costs for a small number of units.

The project was an exercise in building both housing and the community. It was designed from the ground up to accommodate the environmental and cultural concerns of band members. It began by taking a hard look at the community's housing problems and progressed through a series of meetings to examine possible solutions. The people of Seabird Island researched problems and solutions for two years before they approached Indian and Northern Affairs Canada and Canada Mortgage and Housing Corporation for funding. When they went, they had a comprehensive plan in hand.

Today the community takes pride in a multi-unit dwelling that is able to accommodate a variety of sizes of families. The project combines latest concepts in housing construction and design, including renewable energy sources (wind, solar and geo-thermal heating), Canada Mortgage and Housing Corporation's Healthy

Housing™, and FlexHousing™ concepts, rainscreen technology, sustainable community planning.

The building was designed to require minimal, manageable ongoing maintenance. This ensures the community will always have the resources to keep the units in good repair, circumventing a major obstacle in First Nations housing, durability.

This seven-unit project is a model in progress, but a highly promising one. There are plans for more building based on the pilot project. Some alterations to the original plan will be made but, overall, the success of Seabird Island has served as an example of how to build durable, sustainable, accessible and flexible housing for a First Nation living in a temperate rain forest climate.

The project proves to members of the Sto'lo nation that it is possible to maintain dignity without assimilating into mainstream Canadian culture – a powerful message.

Seabird Island has rail and bus services to nearby Agassiz, a community at the eastern end of the Vancouver urban conurbation.

Lennox Island

Inspired by Seabird Island's success, the Mi'kmaq community of Lennox Island began building energy efficient housing in 2004. Like Seabird Island, the Lennox Island homes will rely on local, sustainable sources of energy including solar and wind power. The first house has been completed and requires 50 per cent of a standard home's energy supply to meet the same needs. The single-storey energy-efficient home features three bedrooms and covers about 130 square metres. Lennox Island is located on the north shore of Prince Edward Island, Canada's smallest province.

8.4 Model: M'akola Group of Societies - Rental and Social Housing Off-Reserve

Location:	Urban Centres on Vancouver Island
Record:	22 years
Primary strength:	Administration designed to avoid nepotism and encourage opportunity/protection from financial mismanagement/long-term stability and growth.

M'akola's group of seven non-profit housing societies has successfully provided affordable rental housing and hospitality services to aboriginals and non-aboriginals in urban as well as rural locations for more than 20 years. All seven societies were set up to meet specific housing needs and various funding programs. All but two are exclusively aboriginal. M'akola rents to tenants based on their income. Typically rent is between 25 and 30 per cent of income, while Assisted Living projects utilize 70 per cent of after-tax income for shelter, meals, recreation, hospitality and personal care services..

On the surface, M'akola is similar to many other urban housing authorities. Its distinguishing features are M'akola's structure and administration. In 1981 David Seymour returned to Victoria from a volunteer placement in Botswana. While serving with Canadian Crossroads International he had taken note of the local methods of village administration. In Botswana, each village had an established council to direct the activities of a variety of organizations in working toward a common goal.

Mr. Seymour likens the system to a chariot where there are several horses pulling but only one driver directing the speed and direction of travel. The organizations that work under the direction of the M'akola governing council are autonomous. Each unit is fully responsible for its part of the program but none has the ability to affect the others. They are thereby insulated from mistakes made by sister organizations. The system discourages nepotism by removing the seat of power from the functioning organization and placing it in an authority that operates at arm's length.

The seven M'akola organizations function as distinct legal entities. Each is responsible for its own day-to-day operations. Each employs its own staff. Over all of these separate entities, however, is the M'akola board of directors. They discuss concerns and make policy decisions. They resolve problems and give guidance. Traditionally, Elders would have similar responsibilities in First Nations settings. M'akola works, partly

because its conflict of interest definitions are clear, partly because each society is protected from any financial or fiduciary mistakes that might be made by a sister organization and partly because the structure of M'akola's administration reflects traditional aboriginal practices.

Directors of M'akola, their friends, families and associates, may not be employed by any of its societies. There are no exceptions. No director may derive benefit from the workings of any of the M'akola group.

From the consumer perspective, security of tenure is an important feature of M'akola housing programs. Security of tenure is assured because families under financial or personal strain are helped to solve their problems before they are unable to pay their rent. Every opportunity is taken to help a person who has shown a commitment to the community before resorting to eviction. Tenants are made aware of M'akola policies when they apply for occupancy. A tenant is a member of a community and expected to behave as such.

With a secure home, tenants are able to focus on their education and employment. M'akola combines the principles of social work with good rental housing management.. Turnover in its units is relatively low. When tenants do leave they typically go on to home ownership or to move to another community.

Educational support is important. M'akola provides education on financial literacy, household maintenance and the potential for home ownership. The model is successful because it recognizes diversity within a homogeneous infrastructure – it is responsive to the needs of a wide range of clients while adhering closely to government regulations.

Over the last decade M'akola has acquired units in several Vancouver Island communities, now totaling over 800. It has established housing for seniors and units that are accessible and available to the disabled.

An indicator of success is the ability of M'akola buildings to blend into the urban landscape of Victoria. A M'akola building is not marked by the signs of disrepair that are evident in some publicly assisted housing. Its buildings are located in middle-class neighborhoods around Victoria and, apart from a totem pole used as an architectural enhancement, are indistinguishable from other townhouses or condos.

The governing society is considering building on its success by establishing several new organizations. One would be dedicated to construction and development, another to non-aboriginal housing needs and a third to management. M'akola's solid bedrock of administrative practice makes expansion possible and through expansion the group hopes to foster more autonomy, economic opportunity and social development.

Issues:

High real estate values which limit entry by first-time homebuyers. The average cost of single family dwelling in Victoria is well over \$500,000, (\$512,844 Victoria Real Estate Board – May 1, 2006) while a year ago it was approximately \$400,000.

High construction costs, with an annual increase of 15 per cent. 2006 to 2007 Projections indicate an additional 11 per cent increase for 2006-2007.

High cost of living.

Limited supply of land resources.

Poor transit options.

Future challenges:

1. A substantial gap between current subsidy rates and actual mortgage costs. Current operating agreements with government provide subsidies for the term of the agreement which is directly correlated/connected to the term of the mortgage. Once the operating agreement expires the mortgage is extinguished and the subsidy is no longer received by the society. The initial intention of all affordable housing programs under management by M'akola assumed that the subsidy would equal the mortgage costs. This currently is not the case, therefore an operating deficit occurs upon the expiration of the operating agreement.
2. Considerable difficulty in securing qualified individuals to fill positions. Job qualifications, experience, education and requirements continue to increase as the complexity and mass of the society grows – the society has nearly doubled in size in the past three years. There is high demand for qualified, experienced personnel throughout Vancouver Island, especially Victoria. Attracting personnel from other areas of B.C. and Canada is difficult because of the high real estate market and corresponding high cost of living.

Victoria is B.C.'s second largest city and seat of the provincial government. The population of the Greater Victoria area is about 335,000. Several reserves are located in the area.

8.5 Model: Amisk Housing Association - Transitional/Social Housing Off-Reserve

Location: Edmonton
Record: 17 years
Primary strength: Houses marginal populations – focus on the hard-to-house, homeless, large families, addicted members of the community/Security of Tenure/ Amisk - Umisk has a strong rehabilitative function

The Amisk Housing Association operates Amisk and Umisk, sister societies that build, manage and rent housing for Edmonton's growing aboriginal community. Established in 1989 by the Indian Association of Alberta, the Amisk Housing Association aims to meet the needs of the "Indian people of Alberta." A nine-member board of directors made up of eight representatives from Provincial Tribal Councils and one from the Indian Association of Alberta manages the association. Three members have been on the board since the beginning.

Amisk works in partnership with the Family Shelter Network, operating out of Boyle Street Co-op and the Bissell Centre, agencies in the Edmonton's Inner City. Amisk also works with the Edmonton Housing Trust Fund to build new housing for aboriginal families. The society does not adjust its rents to incomes. Three bedroom townhouses with fully finished basements, suitable for use as bedrooms or living areas, are built and rented to large families for a flat rate of \$525 a month. Families are responsible for their own utility payments. Amisk sees single-parent families headed by mothers who are furthering their education as their main target group. Most of these families include more than three children.

Within the aboriginal population it has become increasingly common for women to attain a university education after they have had children. Amisk recognizes this social trend and tries to make it easier for the women to achieve their goals.

Amisk does not insist on a specific length of tenure for its family housing. Families move out when they complete their education and find work elsewhere or when they become eligible for city-operated subsidized housing. Some families stay for the long term; many have lived in Amisk housing for more than 10 years. Turnover is low. The Amisk waiting list is 1,600 families. Low turnover means that without an increase in the Amisk real estate portfolio, now at 96 units, many on the waiting list will never get a space.

The Umisk society was created specifically to support the homeless population with subsidized housing, much of which is meant to be used on a transitional basis during rehabilitation. While a large majority of Umisk's clients are aboriginals, the program is open to all homeless people.

Transitional housing implies a lack of tenure. Umisk is aware that this insecurity can lead to problems in building a secure, urban existence for those who have experienced homelessness. To address this situation Amisk and Umisk employ a tenant councilor. In addition, both societies work closely with the City of Edmonton and with municipal and provincial social workers. In cases where an individual is finding it impossible to adapt to independent urban life Umisk makes transitional housing permanent.

The role of the tenant councilor is described in this job description quote: "Responsibilities may include counseling families and individuals on personal and work adjustment: family and social relationships: and money management. The Counselor must be able to encourage the tenants to help themselves rather than relying on agencies of the Tenant Counselor to make plans for them. At the same time, the Tenant Counselor must have an established network or contacts in various agencies to whom tenants can be referred should the need arise."

In April 2005 Umisk began construction of a \$2 million project consisting of 16 three-bedroom townhouses intended for long-term supportive housing to large aboriginal families at risk of becoming homeless. "The facility will feature support services for aboriginal residents to help enable them to live as independently as possible." The project, scheduled for occupancy in the autumn of 2006, will bring the Umisk portfolio to 64 units.

Much of the association's housing is built to its own specifications. The association works with one construction company, a company that was originally willing to take the risk of building first and being paid after construction. This was necessary for the association to secure funding for its first projects. Now that it has been able to prove its ability to meet the needs of the community, funding is less of a challenge.

The association routinely uses the same (non-aboriginal) builder out of a sense of mutual trust and loyalty – a net benefit to the economy of the city. With their

approach to housing the marginalized population of Edmonton, the Amisk Housing Association has contributed to social development and stable employment in the city.

Amisk/Umisk addresses two of the Roundtable's main issues; the lack of housing for large, single parent families and housing for the homeless. In doing so they have found innovative ways to deal with construction, including building partnerships with the City of Edmonton and the private contractor.

Edmonton is Alberta's capital with a population of about 1 million. The aboriginal population of Edmonton, according to the 2001 Census, is 40,930, or 4.4 per cent. The city is considered by Statistics Canada to have one of the denser aboriginal populations in Canada.

Treaty Seven Urban Housing Authority

Treaty Seven Urban Housing Authority has been a mainstay of assisted housing for aboriginals in southern Alberta for over 20 years. Treaty Seven is part of the City of Lethbridge's Affordable Housing Initiative and, as such, has provided support and encouragement to many aboriginal families seeking to own their homes. There has been a high rate of success in residents moving from Treaty Seven housing into the HOME program sponsored by the Alberta Real Estate Association.

8.6 Model: Wigwamen Inc. - Urban Rental and Social Housing Off-Reserve

Location: Toronto
Record: 34 years
Primary strength: Maintains a sense of community in a large city

Toronto's Wigwamen Incorporated is Ontario's oldest and largest urban native housing provider. Situated in Canada's largest city, Wigwamen provides housing for more than 400 families and seniors in the Toronto area.

Wigwamen was the brainchild of four members of the city's Indian Friendship Centre; Nona Bedwell, Clare Brant, Thomas Charles and James Turner. They incorporated as Wigwamen in 1972. Their first act was to secure funding from Canada Mortgage and Housing Corporation to buy 10 older houses and renovate them for aboriginal families. The houses were fully occupied by mid-1973. By January of 1978 Wigwamen owned and managed 133 single-family homes in the Toronto area. Today Wigwamen manages a variety of units, including some under CMHC's Non-Profit Housing program.

Wigwamen was created for aboriginal families and seniors. Housing is provided on a first-come, first-served basis but applicants are screened and interviewed before being offered a unit. All rents are subsidized; units are owned by Wigwamen and funded under federal, provincial and municipal housing programs. Rents are set between 25 and 30 per cent of the family's income depending on personal circumstances.

Wigwamen is of particular interest because it has been caught in the downloading scramble that is still being played out among Canada's federal, provincial and municipal governments. The downloading started when the federal government decided in 1993 to devolve responsibility for the delivery of housing programs to the provinces. Some provinces, including Ontario, in turn decided to shift primary responsibility to the municipalities.

In this climate, Wigwamen had to adjust to a shift in funding support from Ottawa to the City of Toronto – while trying to maintain the control that is essential to its mandate of maintaining aboriginal services and aboriginal identity. Some see the shift as posing a threat to the current stock of aboriginal social housing because it exposes Wigwamen to the risk of assimilation into a city-wide aggregate stock of social housing that is not exclusively (or even primarily) aboriginal.

Wigwamen's ability to remain culturally distinct while accommodating different jurisdictions is one of its strengths. Wigwamen has a higher-than-average level of corporate vigor and community vitality. While the organization may be under increased pressure, its organization and client community remain strong.

Wigwamen has made housing for seniors one of its priorities. The corporation runs a 102 unit seniors apartment complex that offers activities and access to services for aboriginal Elders. It intends to pursue opportunities to expand its housing services for seniors.

The corporation's newsletter and a well-attended annual picnic contribute to a sense of community and cultural identity despite the size of Toronto and the relatively small population of aboriginals living there.

In July 2005, the first residents began to move into Wigwamen's 92-unit Sewell's Road project. Sewell's Road represents Wigwamen's first attempt to provide housing for families and individuals who are homeless or at high risk of becoming homeless. Occupancy is evenly split between aboriginals and non-aboriginal tenants.

Toronto, with a population of 2.5 million, is Canada's largest city and the capital of Ontario. The Greater Toronto Area population is 5 million. It is a challenge to maintain a sense of community for an aboriginal population of 20,000.

8.7 Manitoba Urban Housing Initiatives Off-Reserve

Almost 10 per cent of the population of Manitoba is aboriginal. The City of Winnipeg has an aboriginal population of more than 56,000, the largest of any Canadian city and the largest concentration of aboriginals anywhere in the country. A total of 80,000 aboriginal people live off-reserve in Manitoba.

In Winnipeg, more than half aboriginal renters spend 30 per cent or more of their income on shelter. Sixty-three per cent of aboriginal households in Manitoba live in households whose incomes are below the low-income cutoff.

8.7 (a) Model: Kinew Housing Inc.

Location: Winnipeg
Record: 36 years
Primary strength: Rental for low-income families

Kinew Housing Inc. is building 10 new rental houses for low-income families in central Winnipeg. Funding of \$1.6 million from the federal and Manitoba governments and the City of Winnipeg has allowed Kinew to initiate the first aboriginal-driven housing construction in Manitoba in nearly a decade.

Kinew is building the houses on vacant lots supplied by the City of Winnipeg. The houses will be three-bedroom units built to the R-2000 energy-efficient standard, with basements designed to accommodate a fourth bedroom. They will be adaptable for access by persons with disabilities.

Kinew established the first urban aboriginal housing project in Canada in 1970. The company has a reputation for community involvement in its planning processes and for quality buildings. Kinew, a member of the National Aboriginal Housing Association, owns and manages 400 units in Winnipeg.

To ensure that low income families can afford the rents, the Manitoba Housing and Renewal Association is providing rent supplements – the difference between the approved market rent and the rent-geared-to-income paid by the tenant.

8.7 (b) Model: Affordable Aboriginal Home Ownership Program a Manitoba Real Estate Association Quality of Life Project

Location: Pilot project in Winnipeg
Record: Under development
Primary strength: Extending benefits of homeownership to modest income earners.

The Manitoba Real Estate Association (MREA) has initiated a project to improve the housing and, therefore, the quality of life for aboriginal Manitobans. The MREA's project is targeted at home ownership in urban centers in Manitoba. Its purpose is to create a permanent means for more urban aboriginal people to own their own homes and enjoy the benefits of homeownership.

The project is grounded in a partnership between the MREA and aboriginal organizations, municipal and provincial governments, and private and non-profit housing organizations. The result will be a one-stop program that meets the total needs of off-reserve aboriginal people in purchasing, renovating and maintaining a home. Taking advantage of new and existing provincial and federal housing programs and adding innovative private sector support, the project will be able to offer a strong "helping hand," to aboriginal clients.

The MREA is planning to establish an administrative unit tentatively known as the Affordable Aboriginal Home Ownership Program (AAHOP). An advisory board of aboriginal representatives will be set up. Assistance towards a buyer's down payment will be jointly provided through government funding and the real estate association. In addition, the association is designing a mechanism to help reduce monthly mortgage payments. An educational program is to be implemented to assist homeowners cope with budgeting issues, home maintenance and repairs. As a side benefit training partnerships will be established for aboriginal candidates interested in becoming licensed real estate agents. The association hoped to have a pilot project home established by June, 2006.

Manitoba REALTORS® have relevant experience behind them in the highly successful Housing Opportunity Partnership (HOP) launched in 1998 through the leadership of the Winnipeg Real Estate Board. The HOP has assisted more than 50

candidates for homeownership in designated, older areas of the city. More important, HOP estimates that 20 percent of its homebuyers have been aboriginal. Part of HOP's success has been a low turnover rate, no higher for aboriginals than non-aboriginals. HOP has found that all buyers do their utmost to fulfill all their obligations. HOP selects clusters of homes in need of revitalization, upgrades them to accepted standards and provides assistance with down payment and closing costs. The MREA project goes beyond the concept of inner city revitalization and anticipates a cultural change that involves a partnership with aboriginal people to deliver all aspects of home ownership.

Winnipeg, with a population of 650,000, is the capital of Manitoba. It is home to Canada's largest urban aboriginal population of 56,000.

8.8 Model: Wood Buffalo Housing and Development Corporation

Location: Fort McMurray, Alberta
Record: five years
Primary Strength: Adapts housing programs to aboriginal community needs

The boom in the Alberta oil industry is centered in the Fort McMurray area of the Regional Municipality of Wood Buffalo in northern Alberta. Wood Buffalo is Canada's fastest growing municipality. With growth comes a corresponding demand for housing. As of 2005, Wood Buffalo had a population of 63,998, of which 12 per cent was aboriginal. This is four times the national average.

The housing shortage has reached crisis proportions. Demand for housing of any kind far exceeds supply. People are living in tents on the outskirts of Fort McMurray year-round. Those looking for permanent accommodation can expect to pay up to \$1,000 per month for a room in a boarding house if they can find one.

The Wood Buffalo Housing and Development Corporation (WBHDC) was established in 2001 with a mandate to provide housing for low and moderate income families. From the start, the corporation has looked for innovative solutions. It has embraced principles of community planning that go well beyond common municipal practices. The Tyendinaga Mohawk Territory model that is outlined in Section 8.2 has inspired WBHDC. Like Tyendinaga, Wood Buffalo combines outside sources of capital with its own funds to finance mortgages.

The housing corporation has the full support of the municipality and the Alberta government. The municipality has made land available to the corporation for housing. The province has allowed funding programs to be adapted for Wood Buffalo's innovative model.

Initially, the Alberta government encouraged the municipality to assume responsibility for the delivery of housing funds under its Sustainable Remote Housing Initiative program. Gilles Huizinga, former Chief Administrative Officer of the Wood Buffalo Housing and Development Corporation, agreed to take on the task, provided the corporation could use grant money as their community's needs dictated.

The province eventually agreed but not without a struggle. Mr. Huizinga said the corporation's goal was to provide sustainable housing that would be meaningful and empowering to their residents, not

necessarily in keeping with the regulations of the province's grant program. Mr. Huizinga proposed to use capital grants to deliver on the spirit, rather than the letter, of the program. "They would have been just as happy for us to build 50 rent-to-own trailers but we wanted to get people committed. From the day residents move into their homes they are responsible for making choices and taking care of their own places. We don't make those choices for them. This way, they own their houses from the start. People are committed."

The corporation goes beyond the usual principles of municipal governance in the way it interacts with communities. The corporation routinely goes into the communities neighboring reserves, to ask residents how they think the community should spend available housing dollars. The stakeholders sit down and work out solutions together.

WBHDC is working with the regional municipality of Wood Buffalo and rural communities on reciprocal agreements to institute low-pressure water and sewage lines to better the quality of life for current and future residents. Upgrades are necessary to the current infrastructure in order to facilitate further developments, and WBHDC sees an opportunity to simultaneously enhance the basic sanitation and water facilities offered by the regional municipality. Each partner is then able to apply its funding to the most efficient use. Aboriginal and non-aboriginal communities, even where they overlap, seldom consider pooling resources.

The corporation has two central programs. One is a home ownership program for low-income earners. The program encourages applicants to live in the more sparsely populated regions of the municipality by financing affordable mortgages for program participants. A typical homeowner in this program owns a three-bedroom, full basement log home on a two-acre lot. The other program offers subsidized non-profit rental units for low-income earners and seniors.

The regional municipality is made up of Fort McMurray, several smaller communities and neighboring reserves. At present, two hamlets have benefited significantly from the innovative housing program.

The population of Conklin is about 242. Janvier has a population of about 140. In both hamlets just under half of the population is of aboriginal descent. In Fort McMurray, it's just under 12 per cent. Because of

these numbers, Wood Buffalo's housing program can be seen as an aboriginal housing success story. Working with the communities, the corporation has helped 20 families to obtain safe, affordable homes. Plans are under way for additional units.

In Conklin, the corporation has six homeowners and five tenants. Of three additional units under construction, one has been allocated under the home ownership program. The remaining two will be either rented or owned, based on applications. The homes include a basement, important not only for structural reasons but also as a means of reducing crowding. The basement can be used as a play area for families with children or as extra living quarters for extended families. In Janvier, three of four units are designed for, and are owned by, the families who occupy them.

The homeownership program enables rural residents to remain in their communities, located in the more sparsely populated areas, by financing affordable mortgages. The average mortgage payment is about \$460. Rents average \$425 per month but are based on 30 per cent of the tenants income.

The corporation works with its rural tenants to help families toward owning the units they occupy. Rental rates are similar to mortgage payments in an effort to assist tenants to become homeowners – committing to their community and to the future of their families. In some cases, mortgage payments are lower than rental rates. As in many rural areas, some residents are seasonally employed or may be receiving a form of government assistance. The corporation has committed to offering individuals who receive AISH, are seasonally employed or who receive other employment-related income assistance the opportunity for home ownership.

The corporation brought CMHC's Buying and Owning a Home course to the rural areas to prepare potential homeowners for their purchase. The course covers such issues as septic fields, sump pumps, furnaces, water tanks, insurance and basic exterior and interior home maintenance.

The corporation has effectively responded to special needs in remote communities and helped them to ease the housing shortage. For example, it is working with the Athabasca Chipewyan First Nation, Mikisew Cree First Nation, the Metis of Alberta local chapter and residents of Fort Chipewyan to build housing for residents that require living supports. Another project will provide secure housing for members of the community who tend to be transient, moving from one branch of the family to another.

During the Canada–Aboriginal Peoples Roundtable, it was suggested that it would be easier to improve aboriginal housing if aboriginal communities could obtain federal and provincial funds to apply to programs tailored to meet the needs of each specific community. To best address the needs of a diverse population, funding would not be given, based on national (or provincial) policy but would be distributed on a case-by-case basis.

This was seen as a possible solution to the problem of the inflexible application of generalized federal policies nationwide. Wood Buffalo has taken the money granted by the province for one purpose and applied it in a way that was not strictly within the bounds of the program but that is more beneficial to their community. Under current federal policies this would not be possible for a reserve community.

The City of Fort McMurray is the "capital" of the Regional Municipality of Wood Buffalo. Fort McMurray, 440 kilometres north of Edmonton, has expanded from 42,000 in 1991 to 73,000 in 2005.

Oujé-Bougoumou

Although more remote than Wood Buffalo, the community of Oujé-Bougoumou on the shore of James Bay in northern Quebec shares some of the successful features of Wood Buffalo, including notably interactive community consultation and respect for cultural values. Oujé-Bougoumou has won several United Nations Awards, including the Habitat II Best Practices Award. The community developed a unique and innovative housing program that incorporates cultural values, energy efficiency and self-sustainability. Like Wood Buffalo, it offers both home ownership and rental programs. While renting a home in Oujé-Bougoumou, families have the opportunity to put some rent money into a fund to use on home ownership when they are ready. Several other First Nations have been inspired by Oujé-Bougoumou and are using it as a model to plan their own communities.

9. CONCLUSIONS AND RECOMMENDATIONS

Part One – The Dimensions of the Problem

The first part of this paper attempts to present a primer on aboriginal housing as it exists in Canada today. The second part profiles existing models that, while not without problems, have proven effective. They lead us to borrow from their experience as a guide to success in the future.

The Canadian Real Estate Association (CREA), sponsor of this paper, for two years has supported the consensus of the federal government and the Assembly of First Nations (AFN) that transformative change is required in aboriginal housing, specifically in terms of aboriginal control.

Goodwill and a continued commitment to action by governments and aboriginal organizations will be required to overcome shortages and to remediate inadequate housing.

The new federal government has said both sides will have to commit to a new process to deal with the root causes and structural issues that underlie current aboriginal housing problems. It is in the interests of the aboriginal people to remove root causes and structural housing issues. But, coming soon after the agreement reached between the previous government and aboriginal organizations at Kelowna in 2005, this requirement has the potential, at best, to delay badly needed action that affects people's daily lives and, at worst, to poison the atmosphere and seriously set back progress on aboriginal housing.

The Impact on People

This study recommends that aboriginal stakeholders commit to the new process as proposed in the 2006 federal budget. In return for the commitment, the federal government should commit to increased funding for each year over five years, at a level that is realistic, with allocations specifically designated for housing, both on- and off-reserve. There is no justification to punish people living in unhealthy conditions while governments and aboriginal organizations get their act together.

The reasons for the housing problems described in the first part of this paper are known. The Royal Commission on Aboriginal Peoples identified many of these problems a decade ago. The Auditor General of Canada identified them again in a comprehensive

assessment in 2003 and in a follow-up study published in May, 2006.

We found that mold contamination is a leading issue in housing on-reserve. The Auditor General called for an action plan to address it in 2003. In her most recent report she says federal organizations have failed to develop the plan. "Without a strategy and action plan to address this problem, First Nations communities may continue to experience premature deterioration of their housing stock and negative health effects on their people."

Indian and Northern Affairs Canada is the lead department for aboriginal housing on-reserve. CREA recommends that the Minister of Indian and Northern Affairs immediately assume direction and control to develop an action plan to address the problem of mold in aboriginal housing.

Part Two – Lessons from the Models

All the models described in the second part of the paper began with an individual or group of individuals who had a firm grasp of local housing problems and a determination to find a solution. The individuals then developed detailed plans to address the challenges they observed. In some cases they acquired administrative expertise to overcome constraints imposed by the Indian Act. They formed alliances with local authorities, financial institutions and businesses.

Once the administrative tools were in place, the program mapped out and the administrators understood the regulations concerning their particular needs, plans were transformed into actual housing opportunities. The models share an ability to navigate through government regulatory channels in the earliest stages of their development.

All the models were developed, implemented and administered in the local communities. A community thrives on the ideas of those who know it best and usually that means those who live there. Effective community consultation is critical. Members of the community have been engaged in every aspect from planning to administration of the models. When aboriginal communities can tailor their housing programs to their own needs the result is always better than when they have to conform to a national norm. One size does not fit all. "We found that meaningful consultation often contributes to, or results

in, significant change,” the Auditor General says in her latest report.

The federal ministers responsible for funding aboriginal housing (the Minister of Indian and Northern Affairs and the Minister Responsible for CMHC) must ensure that programs are responsive to the needs of local communities: programs should not be guided by standard criteria that may prevent funding from being used where it is most needed.

Aboriginal - Municipal Cooperation

Race is not a critical factor: non-aboriginals are involved in the delivery of successful programs. This is proven by Wood Buffalo’s delivery of good aboriginal housing, by Wigwamen’s non-restrictive hiring policy and by Seabird Island’s many corporate partners. Seabird Island and the Amisk Housing Association are examples where private-public partnerships and donations in kind were confirmed before building began.

In assessing the strengths of each of the models it is important to note that no single model would be likely to meet the needs of every community. However, each model has a particular strength that has the potential to benefit Canadian aboriginal housing in general. In two cases, these models have already been taken as inspiration for other communities and applied with good results.

Combinations of solutions shown in the models can be adapted to meet the challenges of housing both on- and off-reserve. Wood Buffalo’s approach combines the community responsiveness and geographic sensitivity of Seabird Island with the financial practices of Tyendinaga to meet the needs of a region that is geographically and culturally different from both. Into this mix, Wood Buffalo adds its own unique strength – that of close cooperation between on- and off-reserve communities.

The federal government should take the initiative to establish an annual results-oriented aboriginal housing conference. The conference should include representatives of aboriginal housing stakeholders, the federal, provincial and municipal governments and the private sector. The purpose would be to share information on what is working, what is not working and why, and to monitor progress. Improved communications among the stakeholders will help to ensure that aboriginal communities continue to build on the successes such as those profiled in this paper.

Off-Reserve Cost Squeeze

M’akola provides a model for concerns that local structures may not be effective in delivering good housing in a fair and non-political manner. M’akola and Amisk both provide exceptional services to ensure a high degree of security of tenure, one of the aboriginal community’s most cited concerns. In addition, Amisk provides badly needed urban housing for large and single parent families.

All our off-reserve urban housing models provide subsidized rents in a high-cost environment. Market forces have a profound impact on their ability to provide housing for those most in need. When real estate is in high demand, housing costs rise much faster than wages or government grants .

At present, the systems in place rely on a hierarchy of approvals from the federal minister on down. The process of obtaining successive approvals requires time to change and has historically resulted in funding schemes that are slow to adapt to market realities and unresponsive to crisis situations.

The non-profit housing providers say the federal government’s proposal to replace operating income top-up subsidies with a system of capital grants will not be sufficient to allow them to offset their operating costs. We hope the federal government and the housing providers will address these concerns in a spirit of full communication and cooperation among all parties concerned.

The paper documents a growing shortage of off-reserve aboriginal housing – some call it a crisis. The debate over funding for housing providers does not address expansion of subsidized units in urban areas. In recognition, the federal government’s 2006 budget allocated \$300 million to the provinces for off-reserve housing, effective 2007. The response to off-reserve housing needs varies among provinces. But it is fair to say that needs have been demonstrated to justify more effective provincial support. Most provinces have been reluctant even to separate out aboriginal funding from general affordable housing allocations.

It is time for the provinces to “step up to the plate” with specific programs developed in consultation with aboriginal communities, to address off-reserve housing needs.

The Future of Ownership

The experience of Six Nations and Tyendinaga Mohawk Territory proves that the benefits of homeownership, applicable to the general population, can be equally beneficial to aboriginal individuals and communities. The option provides greater security of tenure to the Six Nations and Tyendinaga owners relative to their cousins who have access to rent or simply occupy band housing. This is the reason that ownership is the most popular of the options offered by Six Nations and Tyendinaga.

CREA supports home ownership as the preferred housing option for most Canadians. The social and economic benefits of ownership are well understood in the non-aboriginal population. While recognizing that there are distinctive cultural considerations in the aboriginal population, it is clear from the Six Nations and Tyendinaga experiences that, when offered, the ownership option has a strong appeal among aboriginals.

Restrictions imposed by the Indian Act limit ownership benefits on-reserve.

The ultimate solution that would allow owners to obtain title to their property requires amendment to the Indian Act. It is widely accepted that amendment is impossible because the necessary broad support for amendment from aboriginal leaders is not possible.

The federal government has offered First Nations a means to opt out of some provisions of the Indian Act. The First Nations Land Management Act facilitates community control over reserve lands and resources. The Act provides for exchanges of reserve land that must be approved by First Nations members in accordance with a land code.

Harry Swain, a former deputy minister of Indian Affairs and Northern Affairs, has proposed a more far-reaching and comprehensive solution. He suggested the federal government introduce, with extensive consultations, modern legislation covering on-reserve governance, land ownership and management, taxation, education and other areas crucial to modern life. This legislation would not extinguish the Indian Act; it would be an alternative to it. When First Nations were ready, at their own pace, they could opt out of the Indian Act and choose to live under the alternative regime. Some may take a long time to change. "That's fine," Mr. Swain wrote. "At least no one would be forcing them to live under legislation that South Africa copied in 1948 to create its own miserable Bantu

homelands. In this way, a considerable moral burden would be lightened, if not removed for the larger society. And Indian communities would have, when they wanted it, modern tools for managing their lives."

It is recommended that the federal government begin the process of consultation leading to the introduction of legislation to provide a modern alternative to the Indian Act for land ownership and management that First Nations could adopt when they choose to do so.

The progress towards homeownership is greater on-reserve – thanks to the pioneering action of Six Nations and Tyendinaga – than off-reserve where there are fewer systemic constraints. This is what inspired the Manitoba Real Estate Association to work with aboriginal stakeholders to expand the ownership option off-reserve in Manitoba and to provide a model for Canada.



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