TO: Chair and Members
   Emergency & Community Services Committee

WARD(S) AFFECTED: CITY WIDE

COMMITTEE DATE: October 6, 2010

SUBJECT/REPORT NO:
Expenditures from Capital Reserve Fund (Account #112248) (CS10094) (City Wide)

SUBMITTED BY:
Joe-Anne Priel
General Manager,
Community Services Department

PREPARED BY:
Gillian Hendry 905-546-2424 ext. 4818
Bob McKnight 905-546-2424 ext. 3728

SIGNATURE:

RECOMMENDATION:

(a) That the General Manager of the Community Services Department be authorized and directed to fund Good Shepherd Non-Profit Homes, for a total of $1,172,000, from accrued interest from the Capital Reserve Fund (112248) to create 24 accessible units at 350 King Street West, Hamilton.

(b) That the General Manager of the Community Services Department be authorized and directed to fund Hamilton East Kiwanis Non-Profit Homes, in the amount of $86,000, to create a large family unit at 54 Kenilworth Avenue North, Hamilton from the Capital Reserve Fund (112248).

(c) That the General Manager of the Community Services Department be authorized and directed to fund Victoria Park Community Homes, in the amount of $187,000, to create two accessible units at 18 Carson Drive, Hamilton; and, two accessible units at 33 Kimberly Drive, Hamilton from the Capital Reserve Fund (112248).

(d) That staff be directed to prepare policies and procedures for all future expenditures from the Capital Reserve Fund (112248) and report back to the Emergency and Community Services Committee by January 2011.

Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
EXECUTIVE SUMMARY

In Hamilton, there is a growing unmet need for accessible units for persons with disabilities, and for family units with more than four bedrooms. To address this need, on April 20, 2010, a communication was sent to social housing providers from the Housing and Homelessness Division. Social housing providers were asked to review their housing stock to determine if there were units in their portfolio that could be modified cost effectively, to accessible or large family units. The Capital Reserve Fund (112248) was identified by staff as the source of funding for the work.

Housing projects currently under construction in Hamilton and funded under the Canada-Ontario Affordable Housing Program (COAHP) were also reviewed by staff for possible modifications.

The communication, which is attached as Appendix A to Report CS10094 – Communiqué - Accessible and Large Units (4 or more bedrooms), instructed social housing providers to review possible modifications with their Housing Officer and to submit a business case with estimated costs. The business case for accessible units was to be in compliance with the City of Hamilton Barrier Free Design Guidelines.

Business cases were received from three providers – Good Shepherd Non-Profit Homes, Hamilton East Kiwanis Non-Profit Homes and Victoria Park Community Homes as follows:

<table>
<thead>
<tr>
<th>Provider</th>
<th>Type of Unit</th>
<th>Number</th>
<th>Cost per Unit</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good Shepherd Non-Profit Homes</td>
<td>Accessible</td>
<td>24 units</td>
<td>$48,833</td>
<td>$1,172,000</td>
</tr>
<tr>
<td>Hamilton East Kiwanis Non-Profit Homes</td>
<td>Four plus bedrooms</td>
<td>1 unit</td>
<td>$86,000</td>
<td>$86,000</td>
</tr>
<tr>
<td>Victoria Park Community Homes</td>
<td>Accessible</td>
<td>4 units</td>
<td>$46,750</td>
<td>$187,000</td>
</tr>
<tr>
<td>Total</td>
<td>n/a</td>
<td>29</td>
<td>n/a</td>
<td>$1,445,000</td>
</tr>
</tbody>
</table>

Staff completed a technical review of the proposed modifications and deemed the estimated costs acceptable. Final costs will be subject to tender and review.
The proposal from Good Shepherd Non-Profit Homes is for an affordable housing project funded under COAHP. The Hamilton East Kiwanis Non-Profit Homes and Victoria Park Community Homes are Rent Geared to Income (social housing) units.

In the spring of 2010, Good Shepherd Non-Profit Homes started construction of 156 apartments in two buildings at 350 King Street West under COAHP. There was a short timeframe, when the structure could be redesigned to be barrier-free and accommodate 24 additional accessible units. Therefore, staff authorized the cost of structural changes to the building, including larger elevators for wheel chairs and scooters and a deeper parking garage to accommodate DARTS and modified vehicles. The cost of the structural changes has not been confirmed but is estimated to be $600,000 with the balance of the total amount of $1,172,000 directed to conversion of the 24 units.

No work has started on the two smaller projects at East Kiwanis Non-Profit Homes or Victoria Park Community Homes.

When a Special Advance Agreement for payment to Good Shepherd Non-Profit Homes was drawn to the attention of the General Manager, she requested that all further work cease pending confirmation from the Ministry of Municipal Affairs and Housing (MMAH) concerning the type of project that may be funded from the Capital Reserve Fund, confirmation of a tender process and a report to E&CS Committee.

In the past, expenditures from the Capital Reserve Fund were not approved by Emergency and Community Services (E&CS) Committee but instead were approved through an internal review process within the Community Service Department’s Housing Division. Social Housing Operational Procedures is attached as Appendix C to Report CS10094.

Recently, however, the Ministry of Municipal Affairs and Housing has confirmed that the Capital Reserve Fund (112248), which was identified by staff as the source of funding, is only to be used for social housing, not projects built under the Canada-Ontario Affordable Housing Program.

Given that the Good Shepherd Non-Profit Homes project is an affordable housing project, it should not have been considered for funding from this Capital Reserve Fund. However, since staff accepted their proposal and authorized the structural work, it is recommended that payment for this project be paid from accrued interest from the Capital Reserve Fund. All future payments from this reserve fund will be limited to social housing projects.

To increase accountability and transparency, staff from the Housing and Homelessness Division will create a policy and procedure for all future expenditures from the Capital Reserve Fund by January 2011. Consultation will take place with Corporate Finance and Administration in their development.
Alternatives for Consideration – Refer to Page 7

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial:

The interest from the Capital Reserve totals $2,144,099 from 2001 to 2009.

There is currently $3,918,230, including interest, in unallocated funding in the Capital Reserve Fund. If the total of $1,445,000 is approved, $2,473,230 will remain in the reserve for future social housing capital projects.

Staff from the Housing and Homelessness Division and CityHousing Hamilton have done a technical review of the estimated costs and have deemed the estimated costs acceptable. Final costs will be subject to tender and review.

There will be no additional levy charges for operational costs due to the proposed modification of the units.

Staffing:

There are no staffing implications associated with Report CS10094.

Legal:

There are legal implications if payment is not approved to Good Shepherd Non-Profit Homes in an estimated amount of $600,000 for structural changes to 350 King Street West, Hamilton.

HISTORICAL BACKGROUND

With the devolution of social housing to the municipalities in 2001, MMAH provided a capital reserve fund of $3,791,218 to the City. The reserve was to be used at the discretion of the municipality for building reviews, capital repairs and other social housing purposes. Report PD03021 - Establishment of a Federal Housing Capital Contribution Reserve stated that the City received $3,791,218 in federal funding to be used for housing programs as defined in Scheduled C of the Social Housing Agreement (public housing, rent supplement, federal projects, provincial projects and cost-shared projects).

The Capital Reserve Fund is for capital costs when a social housing provider has insufficient replacement reserves. It has also been used for modifications such as the creation of larger units. Appendix B to Report CS10094 – Regular Capital Repair
Monies - Reserve 112248 lists revenue and disbursements from the reserve since it was established.

In May 2003, an operational procedure was established for the application and approval of funding for emergency or special expenditures. According to the operational procedures, the social housing provider is required to complete a business case to apply for the funding. The business case is reviewed and approved by the CityHousing Evaluation Committee (CHEC). CHEC was comprised of the Director of Housing and other members of the Housing Management Team. If approved, a Special Advance Agreement would be processed and signed by the Housing Provider and City of Hamilton staff.

**POLICY IMPLICATIONS**

New policies and procedures for the Capital Reserve Fund (112248) will be developed by Housing and Homelessness Division staff in consultation with Corporate Finance and Administration Services.

**RELEVANT CONSULTATION**

The Ministry of Municipal Affairs and Housing confirmed that the Capital Reserve Fund was to be used for social housing purposes only.

Finance and Administration staff questioned whether there would be a levy impact due to an increase in operational costs as a result of the modifications. They supported the need to establish clear policies and procedures for the Capital Reserve Fund and a more robust tender process for future funding for social housing providers.

**ANALYSIS / RATIONALE FOR RECOMMENDATION**

Three providers, Victoria Park Community Homes, Good Shepherd Non-Profit Homes and Hamilton East Kiwanis Non-Profit Homes provided business cases to apply for funding.

Victoria Park Community Homes has four accessible townhouse units at 18 Carson and 33 Kimberly with elevators that are 30 years old and are no longer operational. The units were decommissioned since they do not meet current safety standards. They are proposing to install new elevators so that the units will again be barrier-free.
Since the Good Shepherd Non-Profit Home buildings at 350 King Street West are under construction, there was the ability to make the two apartment buildings universally accessible to the most recent standards and to create 24 fully accessible units.

Hamilton East Kiwanis Non-Profit Homes owns a duplex consisting of two vacant suites with two bedrooms in each suite. The units are well suited to be renovated into one large unit consisting of five large bedrooms.

**Social Housing Waitlist**

Hamilton has 14,400 social housing units. A breakdown in numbers for accessible and large family units follows. Not all units are in accordance with current accessibility standards nor meet the needs of all disabled social wait list applicants.

- 872 accessible units,
- 462 four bedroom units,
- 82 five bedroom units and,
- 3 six bedroom units.

In August 2010, there were 5,428 applicants on the social housing waiting list of which 170 households are on the waiting list for accessible units. There are 897 families waiting for large units. Both accessible and large units have a very low turn-over.

Disabled applicants are enduring hardship in inadequate and inaccessible housing while waiting for one of the few existing accessible units. Large families have accepted units with fewer bedrooms in an effort to get housed which has created overcrowding.

Hamilton’s demographics are changing and the type of social housing units must be modified to meet the needs of our current population. There will continue to be a need for accessible units due to the aging population. Many new immigrant families have larger families.

Additional accessible and large family units will reduce the waiting time and increase the choice in available units on the social housing waitlist.

**ALTERNATIVES FOR CONSIDERATION**

**Option One:**

The E&CS Committee may choose to wait until the policies and procedures are developed for the Capital Reserve Fund (112248) before authorizing payment to the three housing providers.
Financial Implications:
The three housing providers are ready to proceed with the construction or renovations as outlined in their business cases. Without confirmation of the funding, Good Shepherd Non-Profit Homes will build the apartment buildings at 350 King Street West, Hamilton without the 24 accessible units. Victoria Park Community Homes and East Kiwanis Non-Profit Homes may utilize their properties for another purpose, as they are presently holding them vacant.

Staffing Implications:
There are no staffing implications associated with Report CS10094.

Legal Implications:
Good Shepherd Non-Profit Homes may take legal action if the City does not make a timely payment for the cost of the structural changes at 350 King Street West, Hamilton.

Option Two

E&CS Committee may chose to make payment to Good Shepherd Non-Profit Homes for the structural changes (Estimated $600,000) at 350 King Street West, Hamilton, but wait until the policies and procedures are developed for any other payments from the Capital Reserve Fund.

Financial Implications:
The structural changes to the Good Shepherd Square buildings will be a needless expense as the changes were contingent upon accommodating the tenants of the 24 accessible units.

Staffing Implications:
There are no staffing implications associated with Report CS10094.

Legal Implications:
There are no legal implications associated with this alternative.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)


Skilled, Innovative & Respectful Organization
- More innovation, greater teamwork, better client focus
**Financial Sustainability**
- Effective and sustainable Growth Management
- Address infrastructure deficiencies and unfunded liabilities

**Intergovernmental Relationships**
- Influence federal and provincial policy development to benefit Hamilton
- Maintain effective relationships with other public agencies

**Growing Our Economy**
- Newly created or revitalized employment sites
- An improved customer service

**Social Development**
- Everyone has a home they can afford that is well maintained and safe
- Residents in need have access to adequate support services
- People participate in all aspects of community life without barriers or stigma

**Healthy Community**
- Adequate access to food, water, shelter and income, safety, work, recreation and support for all (Human Services)

### APPENDICES / SCHEDULES

- Appendix A to Report CS10094: Communiqué - Accessible and Large Units (4 or more bedrooms)
- Appendix B to Report CS10094: Regular Capital Repair Monies – Reserve 112248
- Appendix C to Report CS10094: Social Housing Operational Procedures
The Requirements, Recommendations and Guidelines in this Communiqué are to be implemented by the housing providers administered under the legislated programs/Operating Agreement identified below:

| ✓ | Providers Under SHRA, 2000 |
|   | Providers Under a Federal Operating Agreement |
|   | Requirement |
|   | Recommendation |
|   | Guidelines |
| ✓ | For Information Purposes Only |

**SUBJECT:**

Accessible Units and Large Units (4 or more bedrooms)

**BACKGROUND**

The City Of Hamilton as the Service Manager recognizes the need for larger units with four or more bedrooms. There is also a need for more accessible units. All social housing providers are asked to review their housing stock to determine if they have units which could cost effectively be modified to meet the needs of either of these two groups.

If the housing provider determines that modifications are possible to increase bedroom size or are able to modify units to become fully accessible, please contact your Housing Officer and let them know if you are interested. After you have discussed this with your
Housing Officer, a business case including estimated costs and quotes need to be forwarded to your Housing Officer.

The business case for accessible units should address:

- estimated costs
- the support services available to the residents
- compliance with the City of Hamilton Barrier Free Design Guidelines
- neighbourhood access to accessible transit, shopping, or other amenities
- accessible parking.

Please contact your Housing Officer for details regarding funding for this program.
Regular Capital Repair Monies - Reserve 112248

Revenue

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Federal Funding allocation, 2001</td>
<td>3,038,800.00</td>
</tr>
<tr>
<td>Additional Federal Funding 2002</td>
<td>311,416.00</td>
</tr>
<tr>
<td>Additional Federal Funding 2002</td>
<td>441,325.00</td>
</tr>
<tr>
<td>Additional Federal Funding 2002</td>
<td>1,031,343.20</td>
</tr>
<tr>
<td>Additional Federal Funding 2003</td>
<td>70,445.00</td>
</tr>
<tr>
<td>Federal Funding re: Freelton Lions Club</td>
<td>27,500.00</td>
</tr>
<tr>
<td>Interest</td>
<td>2,144,099.80</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>7,064,929.00</strong></td>
</tr>
</tbody>
</table>

Disbursals

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sacajawea Foundation Repairs, 2004</td>
<td>40,000.00</td>
</tr>
<tr>
<td>Lions Club, 2005</td>
<td>27,000.00</td>
</tr>
<tr>
<td>Provider Capital Reserve Studies</td>
<td>16,833.92</td>
</tr>
<tr>
<td>CityHousing Hamilton, 2005</td>
<td>4,197.50</td>
</tr>
<tr>
<td>Good Shepherd, 2006</td>
<td>193,909.72</td>
</tr>
<tr>
<td>Corktown Mould</td>
<td>428,028.71</td>
</tr>
<tr>
<td>Corktown Elevator</td>
<td>514,932.54</td>
</tr>
<tr>
<td>Andes Heritage Roof</td>
<td>81,633.59</td>
</tr>
<tr>
<td>Andes Heritage Sidewalk</td>
<td>178,075.00</td>
</tr>
<tr>
<td>Glanbrook Severs</td>
<td>37,644.37</td>
</tr>
<tr>
<td>Good Shepherd, Elevator</td>
<td>500,000.00</td>
</tr>
<tr>
<td>First Place Chiller</td>
<td>916,953.22</td>
</tr>
<tr>
<td>First Place Elevator</td>
<td>50,832.00</td>
</tr>
<tr>
<td>First Place Piping</td>
<td>46,704.88</td>
</tr>
<tr>
<td>First Place Security System</td>
<td>109,952.85</td>
</tr>
<tr>
<td><strong>Total Disbursals</strong></td>
<td><strong>3,146,698.30</strong></td>
</tr>
</tbody>
</table>

**Account Balance**                                    **3,918,230.70**
SUBJECT: Approving an Application for an Advance on Subsidy for Emergency/Special Expenditures

BACKGROUND:

As emergency or special situations arise, housing providers may request an advance on subsidy or a loan from the City of Hamilton. The following procedures are to be used for approving, tracking and monitoring these advances.

PROCEDURE:

**Housing Provider:**

- is required to complete a Business Case. See Appendix “One” for what should be included in the Business Case.
- must have the Special Advance Agreement signed by two duly authorized officers of the board. See Appendix “Two” for the draft Special Advance Agreement.

**City of Hamilton:**

- will acknowledge, in writing, to the Housing Provider that the signed Business Case and the Special Advance Agreement has been received and is under consideration.
- will prepare a City Housing Evaluation Committee (CHEC) report for the committee’s approval.
- will complete the section on funding in the CHEC report detailing the availability of funding.

**CHEC**

- will review report.
- will advise amount of funding approved or not approved.
- will inform Business Administrator which account funds should be withdrawn from, if approved.

**CITY OF HAMILTON:**

- will contact the Housing Provider to discuss the terms of the agreement including any repayment schedule.
- will process a cheque requisition for the first payment.
• will complete category type for advances on subsidies (Appendix “Three”)
• will track progress of advances through Major Capital Repairs Progress Draw Tracking Sheet (Appendix “Four”)

**HOUSING PROVIDER:**

• may repay the advance of subsidy by having their subsidy offset equal to the amount of repayment, or by negotiating a subsidy offset amount.

**Appendix “One”**  BUSINESS CASE TEMPLATE  
**Appendix “Two”**  SPECIAL ADVANCE AGREEMENT  
**Appendix “Three”**  CATEGORY TYPE FOR ADVANCES ON SUBSIDIES  
**Appendix “Four”**  MAJOR CAPITAL REPAIRS PROGRESS DRAW TRACKING SHEET
Appendix “One”

BUSINESS CASE TEMPLATE

A Business Case should be prepared:
1. when a project is being planned, and/or
2. when approval is being sought for an advance on subsidy.

It is a good tool to complete a Business Case when planning and estimating the costs of a capital repair project. It can be used to analyse and compile all the details concerning any project. The written business case should justify the course of action to be taken. The business case will:
1. identify the problem,
2. examine all aspects and options of the situation and
3. recommend the best possible solution.

It will also help identify areas where more information is needed before a course of action can be selected.

The amount of detail in a business case is related to the complexity of the problem and the cost of the solution. The following format is suggested but should be adapted to fit the individual aspects of the proposal.

If the Business Case has been prepared to apply for an advance on subsidy, please, also attach collaborating documentation, for example, copies of technical audit, legal opinions or letters and reports received from any professionals.

BUSINESS CASE TEMPLATE

PROJECT

Name of Housing Provider

Name of Project

Type of Units (row housing, elevated apartment building)

Age of Project

Number of Units

Location
PROBLEM

Identify the Problem

a) Description of the problem.
b) Is this a health & safety issue? Is there a municipal work-order or Office of the Fire Marshal Order? Is it a major capital expenditure? Is it a preventative maintenance problem?
c) Describe the events leading up to the problem
d) Reference any technical or legal opinions. (Attach documentation to your submission).
e) Describe actions/steps taken to-date to remedy the problem.
f) Describe investigations on liability. (contractor or manufacturer warranty, insurance coverage, etc.)

REMEDIES and ANALYSIS

a) Describe the options/solution(s) to the problem. If there is more than one solution, list all the solutions available. For each solution explain:
   - advantages
   - disadvantages
   - estimated cost
   - consequences of inaction or delay and the associated cost, if applicable

b) State if recommended solution is best completed at once or can be phased in.

c) Complete a financial analysis for each option. A table is provided on the following page to use as a reference. Additional rows and columns should be added as needed.
FINANCIAL ANALYSIS

A financial analysis should be done for each option being considered. Here is an example of a financial analysis.

<table>
<thead>
<tr>
<th></th>
<th>List the balance of funds available</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>- replacement reserves,</td>
<td>$100</td>
</tr>
<tr>
<td></td>
<td>- surpluses</td>
<td>$100</td>
</tr>
<tr>
<td></td>
<td>- escrow account (if any)</td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>- other</td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>$ 200</td>
</tr>
<tr>
<td>2</td>
<td>Estimated cost of the recommended option, including all professional fee and contingency</td>
<td>$ 250</td>
</tr>
<tr>
<td>3</td>
<td>Funds available for special project</td>
<td>$200</td>
</tr>
<tr>
<td>4</td>
<td>Funds needed (Item 2 minus 3)</td>
<td>$ 50</td>
</tr>
</tbody>
</table>

If you are using this business case to apply for an advance on subsidy, this amount should be carried forward to the Special Advance Agreement.

RECOMMENDATION:

State the course of action you propose to take and why.
Appendix "Two"

Special Advance Agreement

This Agreement is made on the day of , 200_

BETWEEN The City of Hamilton

AND (State full corporate name of housing provider)
(referred to as the "Housing Provider")

RECITALS

The Housing Provider has asked the City of Hamilton to provide it with an advance(s) on subsidy payments which are payable by the City of Hamilton to the Housing Provider under the terms of the Social Housing Reform Act, 2000 (SHRA) / Federal Operating Agreement signed by the parties.

CONSIDERATION

In consideration of the covenants and agreements contained in this Agreement and the sum of one dollar ($1.00) of lawful money of Canada now paid by each of the City of Hamilton and the Housing Provider to the other (the receipt and sufficiency of which are hereby acknowledged), the City of Hamilton and the Housing Provider agree with the terms as stated below.

TERMS OF THE AGREEMENT

1. The City of Hamilton will make subsidy payments in advance in the amount of ____________________($00.00) ("the Advance") to the Housing Provider, for the project located at ________________________________(address), for the purpose of __________________________________________________________________________

2. In consideration of the City of Hamilton providing the Advance to the Housing Provider and subject to the City of Hamilton’s approval, the Housing Provider will commence and diligently pursue any action including any legal action which may be required to obtain compensation for any expense incurred by the Housing Provider and/or the City of Hamilton arising out of circumstances necessitating the Advance.
3. The City of Hamilton shall be entitled to reduce any one or more subsidy payments made on or after ___________________(Date) to the Housing Provider until the aggregate amount of the Advance has been recovered.

4. In the event that the City of Hamilton deems the advance a grant or loan, the City of Hamilton shall not make any further reductions to the subsidy payments pursuant to Section 2 of this Agreement.

5. The Advance may be made by the City of Hamilton in one payment or in successive payments, as and when determined by the City of Hamilton in its sole discretion.

6. The Advance will be made to the Housing Provider according to the following schedule of advances:

   to be completed by City of Hamilton

   The approved amounts will be advanced in the following manner:
   
   First Payment *_________ amount: $_____________
   Second Payment *_________ amount: $_____________
   Third Payment  *_________ amount: $_____________
   Fourth Payment *_________ amount: $_____________

   specify fiscal year(s), if needed

7. The City of Hamilton may amend the schedule of advances from time to time as it determines in its sole discretion. The Housing Provider may submit a request in writing to the City of Hamilton requesting amendments to the schedule of advances, and shall include its reasons for making the request. The City of Hamilton shall review the said request, and advise the Housing Provider whether it is agreeable to making the said amendments.

8. The Housing Provider shall follow such tendering procedures and provide such documentation regarding the capital costs/expenses as required by the City of Hamilton.

9. The Housing Provider agrees to comply with the provisions of the Construction Lien Act, R.S.O. 1990, c. C.30, as amended or replaced from time to time, and to maintain holdbacks in accordance with the said Act.

10. Any breach of this Agreement by the Housing Provider constitutes a breach of the SHRA /Federal Operating Agreement and any breach of the SHRA /Federal Operating Agreement constitutes a breach of this Agreement.

11. Aside from the foregoing, it is agreed that all of the terms of the SHRA /Federal Operating Agreement will remain the same.
12. All the provisions of this Agreement shall be binding on and operate to the benefit of the City of Hamilton and the Housing Provider and their respective successors and permitted assigns.

13. This Agreement shall be governed by the Province of Ontario.

14. Nothing in this Agreement shall be deemed in any way or for any purpose to constitute the City of Hamilton and the Housing Provider as partners or any other similar relationship.

15. Time shall be of the essence of this Agreement.

The parties intending to be legally bound have signed this Agreement.

[Corporate name of housing provider]

____________________________________________________________________

(Chair or authorized signing officer)

__________________________________________       _________________________

(title) (date of signature)

____________________________________________________________________

(Authorized signing officer)

__________________________________________       _________________________

(title) (date of signature)
I/we have authority to bind the corporation.

City of Hamilton

____________________________________________________________________

(authorized City of Hamilton official)

____________________________________________________________________

(title) Housing Director (date of City of Hamilton signature)
### CATEGORY TYPE FOR ADVANCES ON SUBSIDIES

Please indicate under which category the provider’s request falls. More than one Advance Type can be chosen.

<table>
<thead>
<tr>
<th>Advance Type #</th>
<th>Type of Advance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>For example:</td>
</tr>
<tr>
<td></td>
<td>Subsidy advances for capital assets:</td>
</tr>
<tr>
<td></td>
<td>replacement of worn out capital assets of the Shelter <strong>Component</strong> consisting of property, plant and equipment held for use on a continuing basis including but not limited to stoves, refrigerators, mechanical laundry equipment, roofs and plumbing and heating equipment.</td>
</tr>
<tr>
<td></td>
<td>acquisition of new capital assets required to manage and maintain the portfolio;</td>
</tr>
<tr>
<td></td>
<td>additions to the existing capital assets;</td>
</tr>
<tr>
<td></td>
<td>replacement of existing capital assets;</td>
</tr>
<tr>
<td></td>
<td>improvements (expenditures which increase the capacity, quality, efficiency or useful life of existing capital assets), and improvements of major building component.</td>
</tr>
<tr>
<td>2</td>
<td>Health and Safety (Imminent danger to tenants or municipal/regional work order or Fire Code order)</td>
</tr>
<tr>
<td>3</td>
<td>Retro-fits, for example:</td>
</tr>
<tr>
<td></td>
<td>Advances for retro-fits that should have been done as part of the construction of the project to modify units for wheelchairs, and/or special need</td>
</tr>
<tr>
<td>4</td>
<td>Advances in lieu of Insurance:</td>
</tr>
<tr>
<td></td>
<td>to cover uninsured damage</td>
</tr>
<tr>
<td></td>
<td>loans awaiting insurance coverage</td>
</tr>
<tr>
<td>5</td>
<td>Costs incurred due to transfer or amalgamation of projects, for example:</td>
</tr>
<tr>
<td></td>
<td>payment of tax arrears</td>
</tr>
<tr>
<td></td>
<td>upgrades</td>
</tr>
<tr>
<td></td>
<td>debts</td>
</tr>
</tbody>
</table>
## Approval Sheet for Disbursal of Emergency Capital Repair Fund

<table>
<thead>
<tr>
<th>Housing Provider:</th>
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<td>Project:</td>
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### Approved Repairs or Renovations

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Payment Request Date</td>
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### Approved Funding

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<td>LESS:</td>
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<td>1st Draw</td>
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<tr>
<td>2nd Draw</td>
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<tr>
<td>3rd Draw</td>
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<td>4th Draw</td>
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<tr>
<td>5th Draw</td>
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<td>6th Draw</td>
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<td>Balance</td>
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### Amount Requested

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### Amount of Current Remittance

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<tr>
<th>Prepared by:</th>
<th>Housing Officer</th>
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<tr>
<th>Reviewed by:</th>
<th>Bruce McLean, Housing Program Officer</th>
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<table>
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<tr>
<th>Approved by:</th>
<th>Robert McKnight, Program Manager</th>
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