



## Gitsegukla Band Council

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## Gitsegukla Housing Committee Call for Applications

Gitsegukla Band Council wishes to reconvene the Housing Committee in accordance with the Gitsegukla Housing policy.

As noted in the Housing Committee Terms of reference, the Housing Committee is to include 2 “members at large” on a 2-year term. All Gitsegukla members (individuals who are part of the Gitsegukla member list) are eligible to apply.

Please review the attached terms of reference in detail for further details regarding the role and responsibilities of the Housing Committee.

### **Application**

To apply, please submit a resume and cover letter explaining why you would like to join the Gitsegukla Housing Committee by email to [Gitseguklacao@mp.ca](mailto:Gitseguklacao@mp.ca) or in paper to the Administration office reception by 12:00 PM on October 22, 2021.

**Deadline: 12:00 PM October 22, 2021**

Time is of the essence as we have one unit we are working on allocating. Late applications will not be considered.

If you have any questions or concerns feel free to contact the Administration by email [GitseguklaCAO@mp.ca](mailto:GitseguklaCAO@mp.ca) or by phone 250-734-4323

**Gitsegukla Band Council**

## 5.5 HOUSING COMMITTEE

5.5.1 *The Housing Committee is responsible for making important housing decisions on behalf of the entire community. Duties include:*

- a) Adhering to the Housing Committee Terms of Reference (Appendix F).
- b) Supporting the Housing Department in the day-to-day administration, application, and enforcement of the Policy.
- c) Reviewing Applicant, Tenant, Occupant, and Homeowner information.
- d) Meeting with Applicants, Tenants, Occupants, and Homeowners.
- e) Making decisions regarding unit Allocation.
- f) Making decisions regarding Appeals.
- g) Making decisions regarding unit Abandonment.
- h) Making decisions regarding Termination of Tenancy.
- i) Making decisions regarding financial penalties related to Arrears recovery.
- j) Making recommendations to Chief and Council regarding Termination of Homeownership.
- k) Making recommendations to Chief and Council regarding the sale of Gitsegukla Band Housing units.
- l) Making decisions regarding all new housing units in conjunction with the Housing Department and Chief and Council.
- m) Reviewing and approving rental rate or maintenance fee increases.

## 18 APPENDIX F – HOUSING COMMITTEE TERMS OF REFERENCE

### Gitsegukla Band

#### Housing Committee Terms of Reference

**Mission Statement:**

The Gitsegukla Housing Committee is responsible for making important housing decisions on behalf of the entire Gitsegukla Band in accordance with the Gitsegukla Band Housing Policy (see Housing Policy for detailed Roles and Responsibilities).

**Preamble:**

**WHEREAS:** The Gitsegukla Band Chief and Council have a responsibility to its Members to provide safe and affordable housing on Reserve to Members within the resources of the Gitsegukla Band;

**AND:**

**WHEREAS:** The Gitsegukla Band Chief and Council has established a Housing Committee to assist in the delivery and operation of all on Reserve housing in accordance to the Gitsegukla Band Housing Policy;

**THEREFORE, BE IT RESOLVED THAT:** These Terms of Reference shall define the Gitsegukla Housing Committee, its structure and proceedings; its responsibilities; and the authorities that Chief and Council have delegated to enable it to carry out its mandate.

Ratified by Band Council Resolution: January 13, 2019

## **Committee**

To assist Chief and Council in its policy deliberations, several advisory committees have been established. Each committee has established a clear outline of the roles and responsibilities set out in their specific terms of reference.

### **Mandate**

- The Gitsegukla Band Housing Committee is responsible to Chief and Council for the safe, effective and fair delivery of and operation of all on reserve housing.

### **Purpose of Committee**

- The primary purpose of the committee is to serve in an advisory capacity to Chief and Council and staff with respect to the delivery of effective and efficient housing programs for the Gitsegukla Band.

### **Membership of Committee**

1. The Housing Committee shall be comprised of seven (7) members, consisting of five (5) voting members and two (2) non-voting members. Voting members will consist of three (3) Gitsegukla Band Councilors and two (2) Gitsegukla Members at Large. Non-voting members will consist of the Band Manager and the Housing Manager.
2. Spouses, married or common law, cannot sit on the same committee during the same term of office. If Committee Members marry or cohabit with another Committee Member during their term of office one of the members will be required to tender his/her resignation. A Committee Member cannot sit on the same committee as their child or a person to whom they stood in, as legal guardians or adoptive parents, during the same term of office. Committee Members cannot sit on other committees, elected or otherwise, for their entire term of the Housing Committee.
3. A quorum of a committee shall consist of a minimum of three (3) voting Committee Members, comprised of a minimum of:
  - a. One (1) Gitsegukla Member at large; and
  - b. Two (2) Gitsegukla Band Councillors.
4. A Chairperson and Vice Chairperson will be appointed among the Committee Members for a term of one (1) year. Both are eligible to be re-appointed upon completion of the one-year term.
5. Committee Members may be removed from the committee if they fail to attend three (3) consecutive meetings without a valid reason as determined by the remaining Committee Members.
6. The Gitsegukla Band will assign a Recording Secretary who is not a member of the committee to provide recording and support services to the committee.

### **Selection of Committee**

1. All Members of the Gitsegukla Band (as defined in the Housing Policy) are eligible to apply to join the Housing Committee. The term is two (2) years.
2. Committee Members shall be selected based on their demonstrated commitment to the following core principles:
  - a. Fair and impartial decision-making;
  - b. Advancing the best interests of the Gitsegukla Band as a whole;
  - c. Understanding the housing needs of the Gitsegukla Band;

- d. Possessing technical skills related to housing management (if available), and;
  - e. Upholding the Gitsegukla Band Housing Policy.
3. The process for selecting Gitsegukla Members at Large to the Housing Committee is as follows:
  - a. Advertise for Gitsegukla Members to apply to participate as voting member of the Housing Committee;
  - b. The Band Manager, a member of Gitsegukla Chief and Council, and an external resource will review, and shortlist candidates based on skills and experience to perform in the role;
  - c. Shortlisted candidates will be interviewed; and
  - d. Successful candidates will be appointed to the Housing Committee.
4. The Housing Committee shall, to the greatest extent possible, be comprised of a diverse mix of Gitsegukla Band members that represent a broad range of ages, experiences, and perspectives.
5. Chief and Council will retain authority over committee selection from term to term.

### ***Meetings of Committee***

1. The committee shall meet on a monthly basis and may meet more frequently depending on the needs of the department.
2. Notice shall be given to Committee Members at least ten (10) business days prior to the date of meeting and must specify the place, day, and hour of the meeting. This notice period may be waived if urgent meetings are required.
3. Notice of the meeting may be given to a Committee Member either personally, by telephone or facsimile at the telephone number provided, or email to the email address provided by the Committee Member.
4. A Committee Member may participate and is deemed present at the meeting by means of telephone or other means of communication that permits all persons in the meeting to communicate with each other. Any member that is absent from a meeting is to recognize and support decisions made by the committee in their absence.
5. The committee may, subject to this Terms of Reference, establish rules for its procedures at meetings. In general, the committee will follow the Robert's Rule of Order parliamentary procedure.
6. Extraordinary meetings to deal with urgent matters that cannot wait until the next scheduled committee meeting, may be called by the Housing Coordinator in consultation with the respective Chairperson on short notice. Extraordinary meetings may be conducted by Teleconference, but in all cases shall require a quorum of members to pass any motion.
7. For a meeting to be duly convened, a majority of Committee Members must be present, represented by a quorum (at least three (3) voting members must be present, and must meet the minimum requirements of quorum under Membership of Committee – Point #3 above).
8. No abstentions are permitted on a vote.
9. The Chairperson (or Vice Chairperson in lieu of a vacancy in the Chairperson role or if the Chairperson is otherwise not available) will determine meeting dates and agendas.
10. The Housing Coordinator will make arrangements for committee meetings.

### **Cost of Governance**

1. Training and re-training will be used liberally to orient new Committee Members, as well as to maintain and increase the skill and knowledge of existing Committee Members.
2. Outside monitoring assistance will be arranged so that the committee can exercise confident control over organizational performance (as applicable).
3. Outreach mechanisms will be used as needed to ensure the committee's ability to listen to member viewpoints and values.
4. Costs will be carefully incurred, though not at the expense of impacting development and maintenance of the committee's skillset. Accordingly:
  - a. Up to \$5,000 per fiscal year for training, including attendance at conferences and workshops, an amount that can be higher but is subject to Council approving the budget as outlined in the Financial Policy.
  - b. Up to \$5,000 per fiscal year for surveys, community meetings, opinion analyses, and meeting costs, an amount that can be higher but is subject to Council approving the budget as outlined in the Financial Policy.
5. Committee Members will be compensated in the form of honoraria and receive expenditure reimbursement for their participation in approved and duly convened committee meetings business in accordance with the Expenditures Policy section of the Band's Financial Policy Manual.
  - a. Committee Members will receive a monthly fixed honorarium in accordance with the expenditures policy.
  - b. Committee Members will receive honorarium monthly, set at \$50 per meeting.
  - c. In aggregate, an amount of up to \$5,000 per fiscal year is approved for honoraria.
6. The committee will review its cost of governance budget for the next fiscal year during the month of February and will communicate its proposed budget to Council in March of each year.
7. Every three years, the Band Manager will work with Band Council to strike an independent committee to review and make recommendations pertaining to Committee Member honoraria and remuneration.
8. Anyone employed by the Band is ineligible to be a voting member of the Housing Committee.

### **Reporting**

1. The Housing Coordinator and Band Manager will provide reports to the Housing Committee at each regular or special meeting. Reports will detail staff activities, policy matters, and department activities.
2. Reports from the committee will be presented to Chief and Council by the Housing Coordinator and Band Manager, which will be aligned with the meeting schedule of the Housing Committee.

### **Responsibilities of the Committee**

1. To assist the Housing Coordinator and staff with oversight and decision-making activities in support of their roles and efficient operation of the Gitsegukla Housing department and delivery of effective housing programs and activities.
2. To follow, support, and implement all aspects of the Gitsegukla Housing Policy. The committee is also responsible for reviewing the policy on an annual basis and making proposed changes to the policy to support the housing department and Gitsegukla Members as it relates to housing

management. Chief and Council may review and approve any proposed changes to the Housing Policy through ordinary resolution.

3. To be well prepared for all meetings and to have their position on an issue well defined before coming to the table. To create a team approach among all Committee Members.
4. To recognize that the expenditure of program funds is a public trust, and that all such funds shall be expended efficiently, economically and in the best interests of the Band. Further, the committee will ensure financial and operational accountability of the Housing Department and its activities.
5. To maintain liaison and provide a regular and accurate flow of relevant information from programs to community members and vice versa and to establish and maintain open channels of communication on issues.
6. To create equality between Committee Members regardless of race, national or ethnic origin, sex, age, creed, color, political or religious affiliation, mental or physical handicap, sexual orientation, marital status, conviction of an offence for which a pardon has been received and/or which is not related, directly or indirectly to job performance.
7. To foster a respectful and positive approach with staff and members under all circumstances.
8. To act in the best interest of the organization and Gitsegukla Band members before any personal interests (including that of interests for friends or relatives). All Committee Members must understand the Conflict of Interest Policy as outlined in Appendix A of this Terms of Reference and agree to abide by all conditions set out within the policy.
9. To ensure that committee decisions are made within the legal mandate and guidelines set for it, and to act in good faith and accordance with the law and established Band and committee policies.
10. To treat all information confidentially as obtained through the term of the Housing Committee Member. All members of the Housing Committee must not disclose any information acquired during committee meetings where matters have been deemed confidential.
11. To refuse any gifts or other items offered in reward for duties performed in the ordinary course of their role beyond such honoraria and allowances as Chief and Council has agreed to provide.
12. To refrain from publicly criticizing any colleague, associate or staff; to first inform the colleague, associate or staff on the nature of their criticizing and thereafter to follow the proper protocol and procedure for criticizing any of these persons.
13. To use information obtained during their term as Committee Member only for its intended purpose(s), and not to divulge, disclose or communicate to any person, firm or corporation any information concerning any matters relating to or affecting any enterprise of the committee unless authorized to do so by Chief and Council or required to do so by law.
14. To avoid anything that might be perceived as a "conflict of interest" in performance of their duties as Housing Committee member.



### ***Authority of Committee***

1. The committee has authority as mandated and delegated by Chief and Council.
2. The committee has authority only in a collective sense; individual Committee Members have authority to act on behalf of the committee only as specifically mandated and delegated by the Committee as a whole.
3. Committee Members are appointed representatives of their community and as such must act in the best interests of the community.
4. Committee Members must recognize the authority of local and Band-level Program Directors/Administrators to manage their programs in accordance with approved policies and management practices.
5. A Committee has the authority to call on local and Band-level Program Managers/Administrators, or other staff and resource people as approved by Band-level Program Directors, when necessary.

### ***Code of Ethics for Members of Committees***

A code of ethics is a set of comprehensive rules that govern what a Committee Member may or may not do in the course of their term with a committee and dictate how such persons should conduct themselves. This Code of Ethics has been designed as a guideline for all Committee Members. It provides a framework within which the Committee Members can provide the quality of services that is expected of them by the Gitsegukla Band Membership. A Committee Member who wishes to enjoy the respect and confidence of the Band membership will strive to maintain the highest standards of professional and personal conduct both during one's term and in the community.

### ***Policies and Agreements***

1. The committee is responsible, in conjunction with administration housing staff, for the development of housing management policies and agreements as within the Gitsegukla Band On-Reserve Housing Policy.
2. Any amendments to the policy and any agreement or appendix must be presented to Chief and Council for review and approval. Once approved, the committee is responsible for the implementation and enforcement of the policies and agreements.

### ***Amendments***

1. Amendments may be necessary from time to time. The Housing Committee or Chief and Council may suggest amendments to these terms of reference.
2. Once suggestions have been made, the committee, Band Manager, and Chief and Council will review and make comments.
3. The Housing Coordinator, Band Manager, and Chief and Council will review these terms of reference consistent with the fiscal New Year.
4. Any and all suggestions for amendments to these Terms of Reference shall be submitted to the Band Manger and Chief and Council at a duly Convened Council meeting for approval.
5. Any and all amendments to these Terms of Reference must be approved by Chief and Council at a duly convened Council meeting before the said amendments can take absolute effect.

A listing of Housing Committee members follows.



***Housing Committee Members List***

The following is a list of the current Housing Committee Members:

<b>Gitsegukla Housing Committee Members</b>	
<b>No.</b>	<b>Member Name</b>
1	
2	
3	
4	
5	
6	
7	

**Distribution:**

A copy of this document shall be provided to each Committee Member upon their commencing appointment. Any amendments to this document shall be provided to Committee Members as soon as is practicable.

## **Appendix A: Conflict of Interest**

This policy is designed to:

1. Maintain and enhance membership confidence and trust in the integrity of the Band's Housing Department as well as the respect and confidence that membership places in the Band Council to guide and oversee the Housing Department;
2. Demonstrate to Band members that Housing Committee Members are held to standards that place the Department's interest ahead of their private interests and to provide a transparent system by which membership may judge this to be the case;
3. Provide for greater certainty and guidance for Committee Members in how to reconcile their private interests with their committee duties and functions; and
4. Foster consensus among Committee Members by establishing common standards and by providing the means by which questions relating to proper conduct may be answered by an independent adviser.
5. This policy is to be reviewed and signed on an annual basis.

### **Part 1 - Interpretation**

#### **Definition of Conflict of Interest**

1. In this Policy, an individual has a "conflict of interest" when the individual exercises a power or performs a duty or function and at the same time knows or ought reasonably to have known that in the exercise of the power or performance of the duty or function there is an opportunity to benefit the individual's private interests;
2. In this Policy, an individual has an "apparent conflict of interest" if a reasonably well-informed person would perceive that the individual's ability to exercise a power or perform a duty or function of their office or position shall be affected by the individual's private interests;
3. In this Policy, an individual's "private interests" mean the individual's personal and business interests and includes the personal and business interests of:
  - a. The individual's spouse;
  - b. A person under the age of 18 years in respect of whom the individual or the individual's spouse is a parent or acting in a parental capacity;
  - c. A person in respect of whom the individual or the individual's spouse is acting as guardian;
  - d. A person, other than an employee, who is financially dependent upon the individual or the individual's spouse or on whom the individual is financially dependent; and
  - e. An entity in which the individual or the individual in combination with any other person described in this subsection has a controlling interest.
4. Despite subsections (1) AND (2), an individual's private interests do not give rise to a conflict of interest if those interests:
  - a. Are the same as those of a broad class of members of the Gitsegukla Band of which the individual is a member; or
  - b. Are so remote or insignificant that they could not be reasonably regarded as likely to influence the individual in the exercise of a power or performance of a duty or function.

## **Part 2 – Housing Committee Members**

### **Application**

1. This Part applies to Housing Committee Members.

### **General Obligations**

1. Housing Committee Members shall avoid circumstances that could result in the Committee Member having a conflict of interest or an apparent conflict of interest;
2. Housing Committee Members shall avoid placing themselves in circumstances where their ability to exercise a power or perform a duty or function could be influenced by the interests of any person to whom they owe a private obligation or who expects to receive some benefit or preferential treatment from them;
3. Housing Committee Members shall exercise the care, diligence and skill that a reasonably prudent individual would exercise in comparable circumstances; and
4. Housing Committee Members shall comply with all GBC laws and with all policies, procedures and directions of the Gitsegukla Band Council, including this Policy.

### **Gifts and Benefits**

1. Housing Committee Members shall not accept a gift or benefit that might reasonably be seen to have been given to influence the Housing Committee Members in the exercise of their powers or performance of their duties or functions;
2. A gift or benefit may be accepted if the gift or benefit:
  - a. Would be considered within:
    - i. Normal protocol exchanges or social obligations associated with the role of Housing Committee Member,
    - ii. Normal exchanges common to business relationships, or
    - iii. Normal exchanges common at public cultural events of Gitsegukla.
  - b. Is of nominal value;
  - c. Is given by a close friend or relative as an element of that relationship; or
  - d. Is of a type that the policies or directions of the Housing Committee have determined would be acceptable if offered by the Housing Committee to another person.
3. Where a gift with a value greater than \$100 (one hundred dollars) is given to Housing Committee Members, the member shall make a written disclosure of the gift to the Gitsegukla Band Manager and the gift shall be treated as the property of Gitsegukla; and
4. Does not apply to a gift received during a public cultural event of Gitsegukla.

### **Confidential Information**

1. Housing Committee Members shall keep confidential all information that the Housing Committee Members receive while performing their duties or functions unless the information is generally available:
  - a. To members of the public; or
  - b. To members of Gitsegukla.

2. Housing Committee Members shall only use confidential information for the specific purposes for which it was provided to the Housing Committee Member; and
3. Housing Committee Members shall not make use of any information received in the course of exercising their powers or performing their duties or functions to benefit the Housing Committee Member's private interests or those of relatives, friends or associates.
4. Housing Committee members must read the Oath of Confidentiality in Appendix B of this Terms of Reference and agree to abide by its terms and conditions.

***Procedure for Addressing Conflict of Interest***

1. As soon as the Housing Committee Member becomes aware of circumstances in which the Housing Committee Member has a conflict of interest, the Housing Committee Member has a duty to report the circumstances of the conflict of interest at the next Housing Committee meeting;
2. The Housing Committee Member shall leave any part of a Housing Committee meeting where the circumstances in which the Housing Committee Member has a conflict of interest are being discussed or voted on;
3. The minutes of a Housing Committee meeting shall record the Housing Committee Member's disclosure and note the Housing Committee Member's absence from the Housing Committee meeting when the circumstances in which the Housing Committee Member has a conflict of interest were being discussed or voted on;
4. The affected Housing Committee Member shall not take part in any discussions or vote on any decision respecting the circumstances in which the Housing Committee Member has a conflict of interest; and
5. The affected Housing Committee Member shall not influence or attempt to influence in any way before, during or after a Housing Committee meeting any discussion or vote on any decision respecting the circumstances in which the Housing Committee Member has a conflict of interest.

***Procedure for Undisclosed Conflict of Interest***

1. If a Housing Committee Member has reason to believe that another Housing Committee Member has a conflict of interest or an apparent conflict of interest in respect of a matter before the Housing Committee, the Housing Committee Member may request clarification of the circumstances at a Housing Committee meeting;
2. If, as a result of a clarification discussion under Part 1, the Housing Committee Member is alleged to have a conflict of interest or an apparent conflict of interest and the Housing Committee Members does not acknowledge the conflict of interest or apparent conflict of interest and take the actions required under the previous section, the Housing Committee shall determine whether the Housing Committee Member has a conflict of interest or an apparent conflict of interest before the Housing Committee considers the matter referred to in Part 1;
3. The minutes of the Housing Committee meeting shall record any determination made by the Housing Committee; and
4. If the Housing Committee determines that the Housing Committee Member has a conflict of interest or an apparent conflict of interest, the Housing Committee Member shall comply with the *Procedure for Addressing Conflict of Interest* section.

**Part 3 — Breach**

**Consequences of Breach**

1. If a person breaches this Policy, the following actions may be taken:
  - a. The Housing Committee may communicate the nature of breach to the Gitsegukla Band Council to investigate the matter, which may lead to the Housing Committee member being removed from the Housing Committee.

**Appeal**

1. Decisions or orders made under this Policy may be appealed to the Gitsegukla Band Council.

**Acknowledgement and Annual Declaration**

I, \_\_\_\_\_, have reviewed the Gitsegukla **Conflict of Interest Policy** (the "Policy") in detail. I understand this Policy, and I agree to abide by its terms and conditions.

I understand that if I breach this Policy, I will be subject to disciplinary action, up to and including removal from the Housing Committee.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\* Note: This is an annual declaration to be completed.

**Appendix B: Oath of Confidentiality**

I, \_\_\_\_\_, understand and acknowledge that: HOUSING COMMITTEE MEMBER NAME (PLEASE PRINT)

- 1) as a member of the Gitsegukla Housing Committee ("Housing Committee"), I may come into contact with or be in possession of sensitive and confidential information regarding Gitsegukla and its members, businesses, clients, partners or organizations;
- 2) the maintenance of confidentiality is essential to the work that the Housing Committee carries out;
- 3) my role as Housing Committee member is dependent on my signing, and abiding by, this Oath of Confidentiality; and
- 4) any breach of this Oath will result in disciplinary action, up to and including immediate termination of my role as Housing Committee member, without notice.

I promise that I will

- a) not disclose the affairs of Gitsegukla or its members, businesses, clients, partners or organizations to any person, company or firm, directly or indirectly, during or after my role as Housing Committee member, other than as required in the normal course of performing in this role, or as required by law;
- b) at all times treat all information acquired or created as strictly confidential and will not permit the publication, release, or disclosure of the same without prior written consent of Gitsegukla;
- c) hold in strict confidence (and not disseminate to members of the community and others) all working documents, including any documents marked for reference only and any other document worked on while in the role of Housing Committee member in Gitsegukla; and
- d) obtain the approval of Gitsegukla Band Manager prior to discussing any information or issues internal to Gitsegukla, the media or the community in general.

[Sworn/affirmed] on the day of , 20 , at Gitsegukla, British Columbia.

Employee Signature (Employee Name)

Date

Witness Signature (Witness Name)

Date