



## AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 18-011

9:30 a.m.

August 15, 2018  
Council Chambers  
Hamilton City Hall

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**Present:** Councillors A. VanderBeek (Chair), B. Johnson, M. Pearson,  
L. Ferguson, C. Collins, and A. Johnson

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### THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 18-011 AND RESPECTFULLY RECOMMENDS:

**1. Whistleblower Information Update for Q2 2018 (AUD18006) (City Wide) (Item 5.2)**

That Report AUD18006, respecting the Whistleblower Information Update for Q2 2018, be received.

**2. Treasurer's Write-off of Taxes under Section 354 of the Municipal Act, 2001 (FCS18073) (Ward 11) (Item 5.3)**

That property taxes in the amount of \$6,145.01 for 1165 Green Mountain Road, Stoney Creek (Roll #2518 003 510 04200 0000) be written off under Section 354 of the Municipal Act, subject to the property being transferred back to the City of Hamilton (City), effective August 23<sup>rd</sup>, 2018, and that Alectra Utilities be refunded the property taxes paid in error.

**3. Hamilton Street Railway (HSR) Pension Plan - Pension Benefit Guarantee Fund (PBGF) Exemption (FCS18075) (City Wide) (Item 5.4)**

That the Mayor, on behalf of Council, send a letter to the Premier and the Minister of Finance to lobby for a retroactive exemption of Pension Benefit Guarantee Fund (PBGF) for the period 2009 to 2014, and to request a meeting with the Premier and/or Minister to discuss the matter.

**4. Freedom of Information Quarterly Report (April 1 to June 30) (CL18003(a)) (City Wide) (Item 5.5)**

That Report CL18003(a), respecting the Freedom of Information Quarterly Report (April 1 to June 30), be received.

5. **City of Hamilton Development Charges By-law 14-153 - Amendments to the Downtown Community Improvement Project Area (CIPA) Exemption (FCS18054(a)) (City Wide) (Item 6.1)**
  - (a) That no further Public Meeting is required with respect to the By-law attached hereto as Appendix “A” to Report FCS18054(a);
  - (b) That the By-law, attached hereto as Appendix “A” to Report FCS18054(a), prepared in a form satisfactory to the City Solicitor, be passed and enacted.
6. **Commercial Relationship Between the City of Hamilton and Ontario Inc. 2380585, c/o Wise and Hammer Inc. and Related Entities (FCS17085(a) / BOH17042(a)) (City Wide) (Item 8.1)**
  - (a) That, due to the impairment of the commercial relationship between the City of Hamilton and Ontario Inc. 2380585, c/o Wise and Hammer Inc. or any of its related corporate or individual entities, staff be directed to reject any current and future bids, proposals or quotations received from Ontario Inc. 2380585, c/o Wise and Hammer Inc. or any of its related corporate or individual entities, until and including June 25, 2023; and
  - (b) That the City of Hamilton not enter into any contract with Ontario Inc. 2380585, c/o Wise and Hammer Inc., or any of its related corporate or individual entities, until and including June 25, 2023.
7. **Water and Wastewater / Storm Consecutive Estimated Accounts Policy Amendment (FCS18074) (City Wide) (Item 8.3)**
  - (a) That the amended Water and Wastewater / Storm Consecutive Estimated Accounts Policy, attached as Appendix “A” to AF&A Report 18-011, be approved;
  - (b) That the following user fees be approved and that the City Solicitor be authorized and directed to prepare for Council approval all necessary by-laws to add the fees to the 2018 Water and Wastewater / Storm Fees and Charges By-law:
    - (i) Non-compliance Administration: \$20.00 plus HST
    - (ii) Non-compliance Notification Posting: \$25.00 plus HST
    - (iii) Non-compliance Turning Water Off: \$76.50 (HST exempt)
    - (iv) Non-compliance Turning Water On: \$76.50 (HST exempt)
  - (c) That the City Solicitor be authorized and directed to prepare all necessary by-laws to implement the Water and Wastewater / Storm Arrears Policy set out in Recommendation (a) of Report FCS18074 which may include necessary amendments to be made to the Waterworks By-law R84-026.

**8. Fees and Charges for the Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(a)) (Ward 4) (Item 8.4)**

- (a) That charges for raw water supplied to 690 Strathearne Avenue North by the City of Hamilton be imposed at the following rates, effective September 1, 2018:

- (i) metered raw water at the rate of \$0.1118 per cubic metre;
- (ii) daily raw water fixed charges at the following rates:

Meter Size	Daily Rate
200 mm	\$ 27.20
250 mm	\$ 39.10
300 mm	\$ 57.80

- (b) That staff advises the owner of 690 Strathearne Avenue North, currently ArcelorMittal Long Products Canada, that the continued supply of raw water by the City to 690 Strathearne Avenue North is contingent upon the following conditions being met:

- (i) that effective September 1, 2018, in addition to other flow-through costs and expenses described in Report FCS18049(a), the owner pays water rates set out in recommendation (a) in Report FCS18049(a) for the supply of raw water to the property;
- (ii) that by December 23, 2018, the owner enters into a Raw Water Supply Agreement with the City of Hamilton on such terms as are set out in recommendation (c) in Report FCS18049 / LS18014;
- (iii) that by December 23, 2018, the owner enters into an Easement Agreement with the City of Hamilton to support the existing pipeline that crosses City lands on such terms as are set out in recommendation (c) in Report FCS18049 / LS18014;
- (iv) that the owner installs a backflow prevention device that meets City requirements to protect against any backflow conditions at its sole expense;
- (c) That the City Solicitor be authorized and directed to prepare all necessary by-laws to implement Recommendation (a) of Report FCS18049(a) which may include necessary amendments to be made to the 2018 Water and Wastewater / Storm Fees and Charges By-law 17-265 and Waterworks By-law R84-026;
- (d) That the General Manager of Finance and Corporate Services be directed to report back to the Audit, Finance and Administration Committee in

January 2019 regarding the implementation of Recommendation (b) of Report FCS18049(a).

**9. Development Charge Exemption Request from Trillium Housing (HSC18040) (City Wide) (Outstanding Business List Item) (Added Item 8.5)**

- (a) That the request for Development Charge exemptions for the affordable units in the Highbury and Winona Developments by Trillium Housing, be denied;
- (b) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized and directed to deliver and administer a municipal Down Payment Assistance Program, with an upset limit of \$1,800,175, for eligible purchasers of the two Trillium Housing Non-Profit housing developments (Winona and Highbury), in accordance with the program guidelines, attached as Appendix “B” to AF&A Report 18-011;
- (c) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized to approve and execute any agreements and ancillary documentation, in a form satisfactory to the City Solicitor, that are required to deliver and administer a municipal Down Payment Assistance Program for eligible purchasers of the two Trillium Housing Non-Profit housing developments (Winona and Highbury);
- (d) That the annual interest cost of \$61,000 (when the program is at capacity) of providing the Trillium Down Payment Assistance Program in accordance with the program guidelines, be absorbed within the Housing Services Division existing operating budget;
- (e) That the initial, one-time cost of administration of the Trillium Housing Down Payment Assistance Program for the two Trillium Housing Non-Profit housing developments (Winona and Highbury), in the amount of \$100,000 be funded through the Municipal Down Payment Assistance Program Reserve (#112009); and,
- (f) That the matter respecting “Trillium Housing Non-Profit” be identified as complete and removed from the Audit, Finance and Administration Committee Outstanding Business List.

**10. Commercial Relationship Between City of Hamilton and Primary Response Inc. (LS18040 / FCS18063) (City Wide) (Item 12.2)**

- (d) That recommendation (c), and the contents of Report LS18040/FCS18063, respecting “Commercial Relationship Between City of Hamilton and Primary Response Inc” remain confidential; and
- (e) That amended recommendations (a) and (b) of Report LS18040/FCS18063, respecting “Commercial Relationship Between City

of Hamilton and Primary Response Inc.” be approved and remain private and confidential until approved by Council.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised of the follow changes to the agenda:

**1. DELEGATION REQUESTS**

- 4.2 Joe Deschenes Smith, Trillium Housing, respecting Development Charge Exemption Request (Added Item 8.5 on this agenda) (For the August 15, 2018 meeting)
- 4.3 Amir Atri, Garda Canada Security Corp (GardaWorld), respecting the Commercial Relationship Between the City of Hamilton and Primary Response Inc (Item 12.2 on this agenda) (For the August 15, 2018 meeting)

**2. PUBLIC HEARINGS / DELEGATIONS**

- 6.1 At the request of the Delegate, Dominic Sorbara, would like to move his Delegation to the September 10<sup>th</sup>, 2018 AF&A Committee Meeting as he has a work commitment and is unable to attend the August 15, 2018 meeting

**3. DISCUSSION ITEMS**

- 8.5 Development Charge Exemption Request from Trillium Housing (HSC18040) (City Wide) (Outstanding Business List Item)

**4. OUTSTANDING BUSINESS LIST**

- 11.1(a) Outstanding Business List – Items considered complete and needing to be removed:

Trillium Housing - Development Charges  
(Added Item 8.5 on today's agenda)  
Item on OBL: N

The agenda for the August 15, 2018 Audit, Finance and Administration Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) July 11, 2018 (Item 3.1)**

The Minutes of the July 11, 2018 meeting of the Audit, Finance and Administration Committee were approved, as presented.

**(d) DELEGATION REQUESTS (Item 4)**

**(i) Robert Zeidler, 2418032 Ontario Ltd., respecting excessive water charges at 270 Sherman Ave. N. (For a future meeting) (Item 4.1)**

The delegation request from Robert Zeidler, 2418032 Ontario Ltd., respecting excessive water charges at 270 Sherman Ave. N., was approved for a future meeting.

**(ii) Joe Deschenes Smith, Trillium Housing, respecting Development Charge Exemption Request (Added Item 8.5 on today's agenda) (For today's meeting) (Added Item 4.2)**

The delegation request from Joe Deschenes Smith, Trillium Housing, respecting Development Charge Exemption Request (Added Item 8.5 on today's agenda), was approved for the August 15, 2018 meeting.

**(iii) Amir Atri, Garda Canada Security Corp (GardaWorld), respecting the Commercial Relationship Between the City of Hamilton and Primary Response Inc (Item 12.2 on today's agenda) (For today's meeting) (Added Item 4.3)**

The delegation request from Amir Atri, Garda Canada Security Corp (GardaWorld), respecting the Commercial Relationship Between the City of Hamilton and Primary Response Inc (Item 12.2 on today's agenda), was approved for the August 15, 2018 meeting.

**(e) CONSENT ITEMS (Item 5)**

**(i) Minutes of Various Advisory Committees (Item 5.1)**

The following minutes from various advisory committee meetings, were received as presented:

- (1) Advisory Committee for Immigrants and Refugees – June 14, 2018 (Item 5.1(a))
- (2) Hamilton Mundialization Committee – March 21, 2018 (Item 5.1(b))
- (3) Committee Against Racism – March 27, 2018 (Item 5.1(c))
- (4) Committee Against Racism – July 5, 2018 (Item 5.1(d))

**(f) PUBLIC HEARINGS/DELEGATIONS (Item 6)**

**(i) City of Hamilton Development Charges By-law 14-153 - Amendments to the Downtown Community Improvement Project Area (CIPA) Exemption (FCS18054(a)) (City Wide) (Item 6.1)**

Chair VanderBeek advised that Item 6.1 was a public meeting pursuant to Section 12 of the Development Charges Act, 1997, to present and obtain public input on the City's proposed amendment to the Development Charges By-law. The Chair further advised that notice of the public meeting was published in the Hamilton Spectator on July 20, 2018 and the Hamilton Community News on July 19, 2018, inviting interested parties to make representations at today's meeting. Any person in attendance can make representations relating to the proposed amendment to the Development Charges By-law.

**Delegations**

6.1(a) Shekar Chandrashekar

Shekar Chandrashekar, addressed the Committee respecting the proposed amendment to the Development Charges By-law.

The delegation was received.

The public meeting was closed.

For further disposition of this matter, refer to Item 5.

**(ii) Matthew Kelly, respecting a Risk Management Claim for pothole damage (Approved July 11, 2018) (Item 6.3)**

Matthew Kelly addressed the committee respecting a Risk Management Claim for pothole damage, with the aid of a presentation. A copy of the presentation has been included in the official record.

The delegation from Matthew Kelly, respecting a Risk Management Claim for pothole damage, was received.

A copy of the presentation is available at [www.hamilton.ca](http://www.hamilton.ca).

**(iii) Anthony Godlewski, respecting a \$5,000 water bill at 92 East 15th Street (Approved July 11, 2018) (Item 6.4)**

Anthony Godlewski and Darryl Hennigar addressed the committee respecting a \$5,000 water bill at 92 East 15th Street, with the aid of a presentation. A copy of the presentation has been included in the official record.

The delegation from Anthony Godlewski and Darryl Hennigar, respecting a \$5,000 water bill at 92 East 15th Street, was received.

A copy of the presentation is available at [www.hamilton.ca](http://www.hamilton.ca).

**(iv) Supporting documentation provided by staff respecting water billing at 92 East 15th Street (Item 6.4(a))**

The supporting documentation provided by staff, respecting water billing at 92 East 15<sup>th</sup> Street, was received.

**(v) Joe Deschenes Smith, Trillium Housing, respecting Development Charge Exemption Request (Added Item 8.5 on today's agenda) (For today's meeting) (Added Item 6.5)**

Joe Deschenes Smith from Trillium Housing, addressed the Committee respecting their Development Charge Exemption Request.

The delegation from Joe Deschenes Smith, Trillium Housing respecting their Development Charge Exemption Request, was received.

**(vi) Amir Atri, Garda Canada Security Corp (GardaWorld), respecting the Commercial Relationship Between the City of Hamilton and Primary Response Inc. (Item 12.2 on today's agenda) (For today's meeting) (Added Item 4.3)**

Amir Atri from Garda Canada Security Corp (GardaWorld), addressed the Committee respecting the Commercial Relationship Between the City of Hamilton and Primary Response Inc. (Item 12.2 on today's agenda).

The delegation from Amir Atri, Garda Canada Security Corp (GardaWorld) respecting the Commercial Relationship Between the City of Hamilton and Primary Response Inc., was received.

**(g) DISCUSSION ITEMS (Item 8)**

**(i) Commercial Relationship Between the City of Hamilton and Ontario Inc. 2380585, c/o Wise and Hammer Inc. and Related Entities (FCS17085(a) / BOH17042(a)) (City Wide) (Item 8.1)**

Report FCS17085(a) / BOH17042(a) respecting the Commercial Relationship Between the City of Hamilton and Ontario Inc. 2380585, c/o Wise and Hammer Inc. and Related Entities was LIFTED from the table.

For further disposition of this matter, refer to Item 6.

**(ii) Toronto Tank Lines - Property Tax Arrears (FCS18076) (Ward 5) (Outstanding Business List Item) (Item 8.2)**

Report FCS18076 respecting Toronto Tank Lines - Property Tax Arrears, was TABLED until the September 10, 2018 Audit, Finance and

Administration Committee Meeting to allow the Ward Councillor, staff, and the Vendor to meet to discuss the issue.

**(iii) Water and Wastewater / Storm Consecutive Estimated Accounts Policy Amendment (FCS18074) (City Wide) (Item 8.3)**

Chair VanderBeek advised that public notice was given for Item 8.3, Water and Wastewater / Storm Consecutive Estimated Accounts Policy Amendment (FCS18074), which invited interested parties to make representations at today's meeting. There were no registered speakers and no one in attendance came forward to speak to the proposed changes.

For further disposition of this matter, refer to Item 7.

**(iv) Fees and Charges for the Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(a)) (Ward 4) (Item 8.4)**

Chair VanderBeek advised that public notice was given for Item 8.4, Fees and Charges for the Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(a)) which invited interested parties to make representations at today's meeting. There were no registered speakers and no one in attendance came forward to speak to the proposed changes.

For further disposition of this matter, refer to Item 8.

**(v) Development Charge Exemption Request from Trillium Housing (HSC18040) (City Wide) (Outstanding Business List Item) (Added Item 8.5)**

Report HSC18040 respecting a Development Charge Exemption Request from Trillium Housing was moved up the agenda to immediately follow Added Item 6.5, the delegation from Joe Deschenes Smith, Trillium Housing.

For further disposition of this matter, refer to Item 9.

**(h) GENERAL INFORMATION / OTHER BUSINESS (Item 11)**

The following amendments to the Outstanding Business List, were approved:

**11.1(a) Items considered complete and needing to be removed:**

Trillium Housing - Development Charges  
(Added Item 8.5 on today's agenda)  
Item on OBL: N

The following Item will remain on the Outstanding Business List as the corresponding Item was TABLED:

Staff Reports Respecting Supplement Taxes and Assessment  
Complaints Respecting 500 Eastport Blvd  
(Item 8.2 on today's agenda)  
Item on OBL: J

**(i) PRIVATE & CONFIDENTIAL (Item 12)**

**(i) Closed Session Minutes – July 11, 2018 (Item 12.1)**

- (a) The Closed Session Minutes of the July 11, 2018 Audit, Finance and Administration meeting, were approved as presented; and
- (b) The Closed Session Minutes of the July 11, 2018 Audit, Finance and Administration meeting, are to remain confidential.

Committee moved into Closed Session respecting Item 12.2 pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor/client privileges, including communications necessary for that purpose.

**(ii) Commercial Relationship Between City of Hamilton and Primary Response Inc. (LS18040 / FCS18063) (City Wide) (Item 12.2)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 10.

**(j) ADJOURNMENT (Item 13)**

There being no further business, the Audit, Finance and Administration Committee, adjourned at 11:58 a.m.

Respectfully submitted,

Councillor VanderBeek, Chair  
Audit, Finance and Administration  
Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk



**POLICY TITLE: Water and Wastewater Consecutive Estimated Accounts Policy**

POLICY NO: PP-0009

LAST REVISION DATE: March 29, 2017

EFFECTIVE DATE: August 17, 2018

MANAGER REVIEWED: Tom Hewitson

TO BE REVIEWED: 8/1/2023

MAINTENANCE RESPONSIBILITY: Senior Policy Advisor, Financial Planning, Administration and Policy Division

## I GENERAL

The Water and Wastewater Consecutive Estimated Accounts Policy details the protocol followed by the City of Hamilton ("City") and its water / wastewater billing agent, Alectra Utilities Corporation ("Alectra"), in rendering estimated accounts where actual water consumption cannot be confirmed due to City's inability to obtain access to a water meter or water metering equipment for the purpose of meter reading, installation, inspection, maintenance or repair of utility property.

## II BACKGROUND

Pursuant to the Waterworks By-law R84-026 of the City of Hamilton (the "Waterworks By-law"), billing for the supply of water in the City of Hamilton is, in part, based on the consumption registered on the water metering equipment. Where no water meter has been installed, billing is based on a non-metered or flat-rate basis. The Waterworks By-law requires customers to provide access to the City to the water meter and related equipment for the purpose of meter reading, installation, inspection, maintenance or repair. Where access to the water meter and related equipment is not provided and actual water consumption cannot be obtained by the City, water consumption is billed based on estimated amounts. This Policy applies to circumstances where consecutive estimated accounts are issued due to the inability of the City or its agents to obtain access to the water meter and related equipment.

## III POLICY

### DEFINITIONS

**Service Valve:** Also commonly referred to as street valve or curb stop, service valves control the water running to a premise from the City's water main. Service valves are usually located outside the residence typically at or near the property line, either in the front, back or side of the property (for example: lawn, driveway or private sidewalk). Service valves are owned and operated by the City. However, any water lines which go from the

service valve to the premises are owned, operated and maintained by the property owner.

**Vacant:** For the purpose of this Policy, vacant means a premise that, regardless of the presence of furnishings, is not occupied by any person for more than 90 consecutive days.

## CONSECUTIVE ESTIMATED ACCOUNTS

Where access to the water meter and related equipment is not provided for the purpose of meter reading, installation, inspection or repair of utility property and actual water consumption cannot be obtained by the City, water consumption will be billed based on consecutive estimated water account protocol set out in the attached Tables.

## SERVICE DISCONNECTION

If the consecutive estimated account protocol and resulting ongoing estimated accounts, do not result in the City achieving access to the water meter and related equipment, the City may disconnect (shut-off) water service to residential premises (except for multi-residential) provided any of the following conditions exist:

1. Access, satisfactory to the General Manager of Public Works, or its designate, is not provided to the premises or the water metering equipment for the purpose of meter reading, installation, inspection, maintenance or repair for at least 12 consecutive calendar months;
2. Following notice from the City or its agents, an obstruction that prevents meter reading, installation, inspection, maintenance or repair was not removed by the customer to the satisfaction of the General Manager of Public Works, or its designate, for at least 12 consecutive calendar months;
3. Premise is determined to be vacant and at least three consecutive estimated invoices were issued; or
4. At least two increased consecutive estimated invoices (either 2m<sup>3</sup>/day or 3m<sup>3</sup>/day) remain unpaid resulting in arrears transfer to the property tax roll.

Disconnections of water service will **not** occur:

- on a Friday, a weekend, a legal holiday, the day before a holiday, or on any day City administration offices are not open for business;
- between November 1 to April 30, except for vacant properties;
- for multi-residential, industrial, commercial and institutional accounts;
- for sub-meters commonly referred to as satellite meters.

Following service disconnection, the water service will not be turned back on until access, satisfactory to the General Manager of Public Works, or its designate, is provided to the water meter and related equipment. Where conditions are found that do not allow for the utility work to be performed, the City, at its sole discretion, may turn on the water service where the customer makes arrangements within a specified timeframe to permit the work to be completed. The customer must adhere to these arrangements, failing which the water service may again be disconnected, which will result in additional applicable fees.

## NOTIFICATION

Notice of planned service disconnection will be provided to the owner or occupant of the affected premises by personal service or prepaid mail or by posting the notice on the premises in a conspicuous place. Depending on staff availability, the service disconnection may occur within ten (10) business days following the initial disconnection date provided on the notice.

### Consecutive Estimated Water Account Protocol 1 – Single Residential

Consecutive Estimated Monthly Billing	Communication / Activities		Bill Estimate Calculation
	Alectra	Hamilton Water	
1	- Meter reader leaves meter read request door hanger for customer	- None required	- Consumption estimate based on the prior 12-month historical average usage for the account  - If no history or < 2 billing periods, use 1m <sup>3</sup> /day
2	- Meter reader leaves meter read request door hanger for customer  - Generate work order to HW to address estimates	- Receive work order from Alectra and commence process to attend site for required meter equipment repair or touchpad relocation	- Consumption estimate based on the prior 12-month historical average usage for the account  - If no history or < 2 billing periods, use 1m <sup>3</sup> /day
3	- Meter reader leaves meter read request door hanger for customer	- None required	- Consumption estimate based on the prior 12-month historical average usage for the account  - If no history or < 2 billing periods, use 1m <sup>3</sup> /day

**Consecutive Estimated Water Account Protocol 1 – Single Residential  
(Continued)**

Consecutive Estimated Monthly Billing	Communication/Activities		Bill Estimate Calculation
	Alectra	Hamilton Water	
4	<ul style="list-style-type: none"> <li>- Meter reader leaves meter read request door hanger for customer</li> <li>- Letter issued to account holder (to property owner if different from account holder) informing of access issue resulting in City exercising right to move to double flat billing. Where current estimates &gt; 2m<sup>3</sup>/day, use 2 times historical usage. Notification provided that if issue not rectified within 30 days the City may exercise authority to triple flat rate billing</li> </ul>	<ul style="list-style-type: none"> <li>- None required</li> </ul>	<ul style="list-style-type: none"> <li>- Consumption estimate based on double flat rate billing (2m<sup>3</sup>/day)</li> </ul>
5	<ul style="list-style-type: none"> <li>- Meter reader leaves meter read request door hanger for customer</li> </ul>	<ul style="list-style-type: none"> <li>- None required</li> </ul>	<ul style="list-style-type: none"> <li>- Consumption estimate based on double flat rate billing (2m<sup>3</sup>/day)</li> </ul>
6	<ul style="list-style-type: none"> <li>- Meter reader leaves meter read request door hanger for customer</li> </ul>	<ul style="list-style-type: none"> <li>- Letter issued to property owner informing of access issue and notification that City will exercise authority to triple flat rate billing</li> </ul>	<ul style="list-style-type: none"> <li>- Consumption estimate based on triple flat rate billing (3m<sup>3</sup>/day)</li> </ul>
7 to 11	<ul style="list-style-type: none"> <li>- Meter reader leaves meter read request door hanger for customer</li> </ul>	<ul style="list-style-type: none"> <li>- None required</li> </ul>	<ul style="list-style-type: none"> <li>- Consumption estimate based on triple flat rate billing (3m<sup>3</sup>/day) until such time as the meter issues have resolved to the City's satisfaction with metered billings restored with actual readings enabled</li> </ul>
12 and thereafter	<ul style="list-style-type: none"> <li>- Meter reader leaves meter read request door hanger for customer</li> </ul>	<ul style="list-style-type: none"> <li>- Shut-off in certain circumstances</li> </ul>	<ul style="list-style-type: none"> <li>- Consumption estimate based on triple flat rate billing (3m<sup>3</sup>/day) until such time as the meter issues have resolved to the City's satisfaction with metered billings restored with actual readings enabled and/or shut-off</li> </ul>

**Consecutive Estimated Water Account Protocol 2 – Multi-Residential and Industrial / Commercial / Institutional**

Consecutive Estimated Monthly Billing	Communication/Activities		Bill Estimate Calculation
	Alectra	Hamilton Water	
1	<ul style="list-style-type: none"> <li>- Meter reader leaves meter read request door hanger for customer</li> </ul>	<ul style="list-style-type: none"> <li>- None required</li> </ul>	<ul style="list-style-type: none"> <li>- Consumption estimate based on the prior 12 average usage for the account</li> <li>- If no history or &lt; 2 billing periods, use average consumption of similar customers</li> </ul>
2	<ul style="list-style-type: none"> <li>- Meter reader leaves meter read request door hanger for customer</li> <li>- Generate work order to HW to address estimates</li> </ul>	<ul style="list-style-type: none"> <li>- Receive work order from Alectra and commence process to attend site for required meter equipment repair or touchpad relocation</li> </ul>	<ul style="list-style-type: none"> <li>- Consumption estimate based on the prior 12-month historical average usage for the account</li> <li>- If no history or &lt; 2 billing periods, use average consumption of similar customers</li> </ul>
3	<ul style="list-style-type: none"> <li>- Meter reader leaves meter read request door hanger for customer</li> </ul>	<ul style="list-style-type: none"> <li>- None required</li> </ul>	<ul style="list-style-type: none"> <li>- Consumption estimate based on the prior 12-month historical average usage for the account</li> <li>- If no history or &lt; 2 billing periods, use average consumption of similar customers</li> </ul>
4	<ul style="list-style-type: none"> <li>- Meter reader leaves meter read request door hanger for customer</li> <li>- Letter issued to account holder (to property owner if different from account holder) informing of access issue resulting in City exercising right to move to double historical consumption billing. Notification that if issue not resolved within 30 days, the City may exercise authority to triple actual historical billings (if no historical available bill or if it is suspected that the historical usage is not accurate, use 2x actual consumption of similar customers)</li> </ul>	<ul style="list-style-type: none"> <li>- None required</li> </ul>	

**Consecutive Estimated Water Account Protocol 2 – Multi-Residential and  
Industrial / Commercial / Institutional  
(Continued)**

Consecutive Estimated Monthly Billing	Communication/Activities		Bill Estimate Calculation
	Alectra	Hamilton Water	
5	- Meter reader leaves meter read request door hanger for customer	- None required	- Consumption based on double actual historical billings (if no historical available or if it is suspected that the historical usage is not accurate, bill 2x actual consumption of similar customers)
6	- Meter reader leaves meter read request door hanger for customer	- Letter issued to property owner informing of access issue and notification provided that City will exercise authority to triple actual historical billings (if no historical available bill or if it is suspected that the historical usage is not accurate, use 3x actual consumption of similar customers)	- Consumption based on double actual historical billings (if no historical available or if it is suspected that the historical usage is not accurate, bill 2x actual consumption of similar customers)
7 to 11	- Meter reader leaves meter read request door hanger for customer	- None required	- Consumption based on triple actual historical billings (if no historical available or if it is suspected that the historical usage is not accurate, bill 3x actual consumption of similar customers)
12 and thereafter	- Meter reader leaves meter read request door hanger for customer	- Shut-off in certain circumstances	- Consumption estimate based on triple flat rate billing (3m <sup>3</sup> /day) until such time as the meter issues have resolved to the City's satisfaction with metered billings restored with actual readings enabled and/or shut-off

## Hamilton Trillium Down Payment Assistance Program Guidelines (2018)

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### Background

The Housing and Homelessness Action Plan includes strategies that ensure affordability and a range of housing options for low to moderate income households in Hamilton. Action Plan Strategy 2.3 recommends down payment assistance programs to increase homeownership opportunities for renters, enhancing affordability for households with financial barriers to homeownership.

Recent federal legislation aimed at cooling the housing market has made it more difficult to qualify for a mortgage by establishing a higher interest rate threshold for mortgage approval. Borrowers must now pass a stress test when prequalifying for a mortgage by qualifying for a 2% higher interest rate than the current interest rate. The stress test is to ensure that purchasers will still be able to afford their mortgage payments if interest rates increase at renewal time. This test also means borrowers will qualify for less financing and there will be fewer low-moderate income earners qualifying for a mortgage.

These challenges, as well as current market indicators, were considered in the development of the 2018 Trillium Down Payment Assistance Program (TDPAP), including eligibility criteria. The new criteria reflect the current housing market.

### Program Description

The Trillium Down Payment Assistance Program provides down payment assistance to households currently meeting their rent and shelter costs but struggling to accumulate the down payment necessary to purchase a home.

### Program Benefits

There are benefits that result from homeownership not only for the individual household, but for the broader community, including:

1. Rental housing units are made available for other households in need of rental housing as a result of households moving into homeownership;
2. Enables households to build assets and personal wealth; and,
3. Increases the demand for lower cost ownership housing options by increasing the pool of potential first-time homebuyers with moderate incomes.

### **Program Administration**

Trillium Housing will administer the TDPAP on behalf of the City of Hamilton in accordance with the Program Guidelines.

### **Eligibility Criteria**

#### **The Applicant(s):**

1. must be over the age of 18
2. must not currently own a home or property
3. must be a legal resident of Canada and intend to have this home as their one and only residence
4. must be pre-approved for a mortgage from a Canada Mortgage and Housing Corporation (CMHC) approved lender
5. must not be in a spousal relationship (including a same-sex spousal relationship) with a person that has any form of interest in ownership of a property

#### **Home Type on Property:**

- The Property being purchased may only contain a single detached dwelling, semi-detached dwelling, apartment condominium dwelling unit, townhouse dwelling or row house dwelling. Mobile homes and co-op units are not eligible dwellings for this program.

### **Purchase Price**

The purchase price of the Property must not exceed \$400,000 or such other amount as determined by the General Manager, Healthy and Safe Communities Department. This home price threshold is to be reviewed every three (3) years by the Investment in Affordable Housing Program Manager, Housing Services Division or earlier, and the guidelines updated accordingly and approved by the General Manager, Healthy and Safe Communities Department.

### **Maximum Household Income:**

The maximum household income will be \$81,300, or the current Investment in Affordable Housing Program income threshold. This income threshold is to be reviewed every three (3) years or earlier by the Investment in Affordable Housing Program Manager, Housing Services Division, if the housing market changes significantly, with the guidelines updated accordingly and approved by the General Manager, Healthy and Safe Communities Department.

## **Loan Conditions**

All applicants will submit a completed TDPAP application form, identification information, income and financial documents in a format acceptable to the City in its absolute discretion, and any other documentation or evidence the City may require, to evaluate the loan application.

All applicants receiving approval for a Trillium down payment assistance forgivable loan under the TDPAP shall be required to enter into a Loan Agreement with the City with provisions including but not limited to the terms and conditions set out herein.

The down payment is in the form of a 25-year forgivable loan with the maximum loan amount being determined on a per purchaser basis by Trillium Housing’s review of each purchaser’s financial situation.

The City’s loan must be secured by a mortgage registered on the title of the Property being purchased which can only be lesser in priority to a mortgage securing the primary financing of the purchase of the Property and a Trillium Mortgage.

On the date of closing, the City of Hamilton will provide a cheque for the borrower, to the borrower’s lawyer. Additionally, the City of Hamilton, Legal Services Division will require an Undertaking (prepared by the City and sent to the borrower’s lawyer for signature) confirming that certain documents will be provided to the City within thirty (30) days of closing. These documents will include, but may not be limited to, the following:

1. an opinion letter regarding title (please note that title insurance is not accepted in lieu of an opinion letter),
2. confirmation of a valid and enforceable third Charge/Mortgage,
3. a copy of the Status Certificate issued by a Condominium Corporation disclosing that there are no arrears or orders as may affect the Unit (if applicable),
4. an Acknowledgment re: Receipt of Standard Charge Terms,
5. a Declaration that the property will be owner occupied and used as a single-family dwelling,
6. photocopies of two (2) pieces of identification for each Borrower, and
7. a copy of the registered Transfer/Deed of Land, first Charge/Mortgage, and second Charge/Mortgage being the Trillium Mortgage.

If the program participants no longer meet all program requirements, excepting the maximum home price and income level, or when 25 years have elapsed, the loan is repaid to the City of Hamilton, Housing Services Division along with the same proportion of any capital gains as the down payment assistance was of the original purchase price. This repayment requirement is outlined in the agreement between the City of Hamilton and the homeowner.

## **Conditions for Repayment**

The original down payment assistance loan amount plus the same proportion of any capital gains as the down payment assistance was of the original purchase price must be repaid to the City of Hamilton, Housing Services Division if the following situations occur while the loan is outstanding:

1. There is a disposition of the Property including but not limited to a sale, assignment, transfer, conveyance, lease, license, any indebtedness of the loan recipient secured by a mortgage registered on title to the Property other than the mortgage whose purposes was to secure the purchase of the Property, registration of a Charge or other transaction or disposition of any nature or kind whatsoever in respect of the Property or of any right, title or interest in or to the Property;
2. The Property or a portion thereof is rented to another person;
3. The loan recipient is in breach or default of any agreement or security in respect of any other financing secured on the Property;
4. The unit is no longer the sole and principal residence of the loan recipient;
5. The loan recipient becomes bankrupt or insolvent;
6. The loan recipient misrepresented their eligibility for the program;
7. The loan recipient used the proceeds of the loan for a purpose other than the acquisition of the unit;
8. In the case of the death of both debtors named on the Agreement, only the principal amount of the loan must be repaid by the estate;
9. Change in spousal relationship:
  - a) If the loan recipient(s) divorces or their spousal relationship is terminated. However, the General Manager, Healthy and Safe Communities Department, at his or her sole, absolute and unfettered discretion, may determine whether repayment is required, based on considerations including, but not limited to, whether the loan is at risk, or any potential for undue hardship for loan recipient(s).
  - b) A new marriage or spousal relationship of the loan recipient. If the new partner does not want to be added to the title of the home, it is not necessary to sign an appending agreement. If the new spouse or partner wishes to be added to the title of the home, the newly formed household must meet the eligibility criteria prior to signing an amending loan agreement. If the newly formed household does not meet the eligibility criteria, the loan may be recalled at the discretion of the General Manager, Healthy and Safe Communities Department. (This may arise if the second spouse/partner is required to be on title of the home for the purposes of renewing a mortgage or refinancing);
10. Home Insurance Cancellation / Expiry: The borrower must have home insurance in good standing;
11. Municipal taxes must be in good standing;
12. Postponements: As a condition of advancing funds, institutional lenders will require that the City of Hamilton agree to postpone the current mortgage and remain in third position. In the event that equity is being removed from the property, the City may postpone its mortgage to third place, provided the Investment in Affordable Housing Program Manager performs the due diligence to ensure there is sufficient equity in the home to cover the aggregate of the first mortgage, the Trillium Mortgage, and the down payment assistance loan; and,
13. Property standards orders to comply: If there is, as determined by the City in its sole, absolute, and unfettered discretion, a violation of any law in respect of the Property, including but not limited to the Ontario Fire Code, Building Code, any City zoning by-law, and any City property standards by-law, the down payment assistance loan will be recalled. However, the General Manager, Healthy and Safe Communities Department may in his sole, absolute and unfettered discretion waive this repayment requirement.

### **Documentation Required for Records**

The Housing Services Division is responsible for retaining the following documents over the life of the program:

Eligibility information:

- The signed application form, including a declaration that all information is accurate
- The notice of assessment for all members of the household
- Copies of photo identification
- Unit eligibility information and home inspection

Loan information:

- Agreements of Purchase and Sale
- Loan agreement and independent legal counsel documentation
- Mortgage registration documentation
- Title search

Payment documents and default actions:

- Records of all payments and defaults
- Confirmation of compliance with the terms of the Loan Agreement (e.g., letter confirming that the unit remains the sole and principal residence of the eligible purchaser)
- Record of any defaults

### **Additional Program Terms**

Approval of the loan application is at the absolute discretion of the City and subject to the availability of funds.

The City’s loan must be registered as the third mortgage after registration of any mortgage securing the primary financing (first mortgage), and the Trillium Mortgage. A household may not have a guarantor on title, nor may a household have a co-signer on title that will not be living in the home. If a household requires additional financing, that mortgage will be registered as the fourth mortgage, after the City’s loan.

The Trillium Down Payment Assistance Program cannot be stacked with any other government down payment assistance programs but households may utilize other affordable housing programs such as renovation programs.