

EMERGENCY HOME REPAIR PROGRAM

Program Guidelines

1. Background

On June 11, 2014, Council approved that “the Hamilton Emergency Home Repair Reserve (#102045) be utilized for an emergency home repair program for homeowners receiving social assistance (Ontario Works and Ontario Disability Support Program) to undertake emergency minor repairs of up to \$5,000 that could otherwise create a risk of homelessness” through Report CS11017(d).

The Emergency Home Repair Program (ERP) was subsequently expanded by approval of Report HSC19001 to include:

- low income homeowners (income below the Low Income Cut-Off (LICO));
- accessibility modifications; and,
- and increase the maximum grant amount to \$10,000.

2. Program Description

The Emergency Home Repair Program (ERP) provides a grant of up to \$10,000 to fund emergency home repairs and emergency accessibility modifications to low income homeowners.

Repairs must be of an urgent, serious nature requiring immediate (emergency) attention, such that not making the repair in a proper and timely manner may adversely impact the health and safety of the household or render the home uninhabitable, and the household is at risk of homelessness. Repairs may include accessibility modifications.

The goals of the ERP are to:

- a) assist low income homeowners living in substandard housing, make essential repairs to meet minimum health and safety standards;
- b) assist low income homeowners who are unable to live in their homes following an illness or injury make accessibility modifications that will enable them to continue to live in their homes;
- c) prevent homelessness and enable people to remain in their homes; and,
- d) preserve older housing stock in Hamilton.

Repairs or homeowners that are ineligible for the ERP may qualify for the Ontario Renovates Program with its broader range of eligible activities and higher loan threshold.

The City's role and contribution towards emergency repairs are as a sponsor of the grant, and not a contracting party as between the owner and contractor(s) for construction services. The City has no interest or benefit in the subject lands, does not direct any construction services, nor is responsible for the scope, quality, or ultimate payment for the construction services. For clarity, the City will not be an 'owner' within the definition of the *Construction Act*.

3. Program Terms

3.1 Fund Availability

There are limited funds available for the ERP and approval is at the absolute and unfettered discretion of the City and subject to the availability of funds.

3.2 Eligible Repairs

Repairs to the home may range in nature, but must be urgent and serious, requiring immediate (emergency) attention, such that not making the repair in a proper and timely manner may adversely impact the health and safety of the household or may render the home uninhabitable. Common repairs include roof repairs or replacement or furnace repairs or replacement, but do not include independent air conditioning systems. Repairs may include accessibility modifications. Repairs may only be made on items that already exist in the home.

The following will be considered in determining an 'emergency:'

- Would the recipient be forced to vacate or be unable to return to their premises if these repairs are not completed?
- Is the need for the repairs posing a risk to the health or well-being of recipients or their family?
- If the repairs are not completed immediately, do they lead to a risk to recipients or the family in the next 90 days?
- Will extensive damage result if the repairs are not undertaken within the next 90 days?

If the answer is yes to any of the above, the repairs should be considered urgent or an emergency.

Eligible repairs may include the following:

- heating systems that are no longer working or that have been deemed too dangerous to operate by a licensed gas-fitter or other similarly authorized professional (a furnace replacement will only be approved if the City is satisfied that the existing furnace is unsafe or cannot be repaired);
- patching or replacing a roof (replacing only when demonstrated to be necessary);

- electrical systems;
- plumbing systems;
- owned water heaters;
- damage which compromises the health, safety, or security of the home/inhabitants;
- foundations repair;
- chimneys;
- fire and other safety such as smoke detectors or carbon monoxide detectors; and,
- accessibility modifications such as but not limited to stair lifts, grab bars, bathrooms, door handles that are required immediately.

Other costs that may be approved:

- labour
- applicable taxes
- building permits
- Electrical Safety Authority Inspection
- related professional fees
- any other costs that the City deems reasonable in advance

Ineligible repairs (not limited to):

- renovations to increase energy efficiency;
- renovations for aesthetic purposes;
- additions or creation of secondary units;
- preventative maintenance;
- a new home foundation;
- a new furnace except where the City is satisfied that the existing furnace is unsafe or cannot be repaired;
- home additions or upgrades;
- insulation unless the City is satisfied that the existing insulation on the premises will not meet the minimum standards set out in the Building Code;
- any repairs or modifications carried out prior to City approval;
- repairs to a newly purchased home;
- costs over the maximum noted in Section 3.5; and,
- repairs not carried out by a contractor licensed with the City of Hamilton.

Applicants seeking to undertake ineligible repairs may be referred to the Ontario Renovates Program to determine eligibility under that program's criteria. The ERP may be stacked with any other government program including the Ontario Renovates Program and any of its successor programs.

3.3 Eligible Homeowners

The ERP is available to homeowners on Ontario Works (OW) or Ontario Disability Support Program (ODSP) and homeowners below the most recent Low Income Cut-Off figures (LICO) as below:

1-person household	2 or more-person household
\$25,338	\$31,544

3.4 Eligible Homes

The ERP is available for single detached homes with a maximum MPAC assessed value of \$330,000, townhouses with a maximum MPAC assessed value of \$275,000, and owned apartments with a maximum MPAC assessed value of \$225,000. Mobile homes, co-op, life lease or any other units which are not exclusively owned by a single household (not a corporation) are not eligible for the ERP. The interior of condominium units which is under the exclusive ownership of the homeowner and are not a common element of the condominium corporation may be eligible for the ERP as determined by the Manager, Investment in Affordable Housing.

3.5 Maximum Grant Amounts

Grants may be provided to a total maximum of \$10,000, as determined by the Manager, Investment in Affordable Housing.

3.6 Repayment Terms

Repayment of the grant is not required unless there is a violation of the program terms and conditions.

3.7 Other Program Terms

- The household must enter into a grant agreement with the City of Hamilton for the provision of the grant that is consistent with the Program Guidelines.
- Approved project invoices will be paid directly to the contractor.
- Invoices must be charged to the name of the household.
- The household is required to provide a direction to pay the contractor. The City will not enter into a contractual relationship with the Contractor.
- Applications must be expedited by both the applicant household and City so decisions can be made quickly to meet emergency needs.
- The ERP may only be used to pay for the repairs that are listed on the detailed quotation and at the dwelling address identified on the application. Work must be completed by the contractor(s) for the quote submitted and approved. Should a change in contractor(s) be deemed advisable, another contractor quote must be submitted to the City of Hamilton for approval.

- If the cost of the repair is more than the amount approved by the City, the homeowner will be responsible for the additional cost. The homeowner may seek additional sources of funding to offset costs and must show proof that the cost is affordable to them.
- Emergency home repairs may only be accessed once in five (5) years per client subject to extenuating circumstances as determined by the Manager, Investment in Affordable Housing.
- If determined eligible, the lowest quotation will be approved unless the homeowner provides an acceptable reason why the higher quotation is necessary.
- The homeowner is responsible for ensuring that the repairs are satisfactorily completed in accordance with the quotation. The City of Hamilton accepts no responsibility for ensuring compliance of the work with any applicable building code or other regulatory requirement and is not responsible for the installation/adequacy of materials, methods employed, work quality, manufacturer's recommendations or damages that may occur or deemed to be deficient or defective by the Owner.
- The homeowner agrees that concerns with the installation of the materials, unacceptability of products, service or implied warranty issues are to be resolved between the contractor(s), sub trade(s) and the Owner.
- The homeowner agrees that recovery of associated costs for any remediation negotiated through settlement is negotiated with the contractor and is not the responsibility of the City of Hamilton.
- The homeowner agrees that the City of Hamilton will not negotiate, interfere or involve itself with any discussions between the Owner and the contractor(s) or sub trade(s) before, during or following completion of the repair, other than for confirmation of completion purposes.
- The Emergency Home Repair Program grant may be cancelled if the repairs are not started immediately and completed by the agreed upon date.
- The Owner must submit a Work Satisfaction Sign-off as well as detailed invoice from the assigned contractor to the City of Hamilton within three (3) business days of work being completed. The grant will not be released until all work is fully completed and this documentation is received.
- City of Hamilton will not pay for any costs covered or to be covered by funding from other sources, in any form (i.e. grants, consumer rebates, etc.) If there is funding from other sources, the City of Hamilton will pay the balance of the costs, up to \$10,000. If funding from other sources plus the ERP grant exceeds the Total Cost of Repairs, then any such excess will be repayable to the City of Hamilton to offset the City funding. You must disclose any additional funding from other sources, in any form, received or expected to be received (including any funding applied for) for the repairs covered under the ERP.
- All work must be performed by a licensed and insured contractor. The contractor must be licensed as a Building Repair Contractor and have a current valid trade license (in accordance with the City of Hamilton Trade License By-Law 07-170, Schedule 29).

- The applicant must be able to demonstrate that they have exhausted any insurance(s) as a remedy for the emergency prior to applying to this program.
- The applicant must confirm that they have exhausted all other funding sources available for home repairs or accessibility modifications and is at risk of being homeless if repair cannot be completed.
- The property must be registered in the applicant(s) names only and the mortgage, property tax, insurance and utility payments must be up-to-date.
- If the home is owned by more than one person all owners must be applicants and the criteria for obtaining the grant must apply to all owners.
- Applicants and their family must be the sole occupants for a minimum of five years from the date of completion of the emergency repairs. If the applicant leases out the home or part thereof, vacates the property, or sells the property during the five-year term, the Grant is repayable.
- An applicant is not permitted to own or partially own a second property anywhere including, but not limited to: a second home, vacation property or investment property for at least five years from the completion of the emergency repairs.
- If the aggregate cost of the repairs or modifications is more than the amount approved by City the homeowner will be responsible for the additional cost. The homeowner must show proof that this cost is affordable to them.
- The ERP may be stacked with any other government program including the Ontario Renovates Program and any of its successor programs.
- Applicants must be individuals and cannot be corporations, partnerships or other legal entities which are not individuals.

3.8 Program Processes

- The applicant completes the application and submits two (2) comparable and detailed quotes (including photos, detail of damage, material, labour, taxes, time, service date, warranty) from City licenced contractors to the Housing Loans Officer.
- The application form must be signed, including a declaration that all information is accurate, and accompanied by proof of income (the most recent Notice of Assessment).
- The City may carry out necessary enquiries for the purpose of confirming the information provided.
- The homeowner is responsible for giving “Notice to Contractor” when getting quotes to ensure the Contractor is aware of the grant.
- The homeowner is responsible for signing the application and declaration.
- The homeowner is responsible for ensuring repairs are satisfactorily completed in accordance with the quote. Any concerns are to be resolved between contractor and owner. The City does not intervene in disputes as to the work done by the contractor.

- Once the repair or modification is complete, and within three business days, the household will send the completed work order/invoice as well as a signed letter of work satisfaction to the City.
- Once the invoice and signed letter of work satisfaction are received by the City, a payment is issued to the contractor.

4. Documentation Required for Records

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

4.1 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.

4.2 Grant information:

- Grant agreement
- Contractor quotes

4.3 Payment documents and default actions:

- Records of all payments and defaults;
- Notice of Direction authorizing the City of Hamilton to may payment to contractor(s) on behalf of household;
- Independent Legal Advice and Waiver document; and,
- Letter of work satisfaction signed by the homeowner.