

Term Sheet for Community Housing Operating Agreement

106-105 Bay St. N.

Landlord: CityHousing Hamilton ("CHH")

Operating Agreement ("OA") Terms and Conditions

1. Funds are used for costs related to the remediation of the site, planning, and construction of the above-mentioned affordable housing project.
2. The agreement commences the date it is signed.
3. The General Manager of Healthy and Safe Communities must be informed of changes to construction and occupancy timelines.
4. Permission shall be required from the City of Hamilton, as Service Manager, to encumber this property.
5. Permission shall be required from the City of Hamilton, as Service Manager, to sell or otherwise dispose of this property.
6. The agreement shall have a duration of 40 years.
7. A minimum of 45 rent-geared-to-income (RGI) units will be provided in this building.
8. Tenants receiving RGI subsidy shall be entitled to the same access and use of all building amenities.
9. Households moving into rent-geared-to-income units will be selected from the centralized waiting list (Access to Housing) maintained by the City of Hamilton.
10. CHH shall be responsible for calculating and collecting rent.
11. CHH will provide reports to the City in a manner outlined by the City regarding compliance with RGI targets in a form and content satisfactory to the GM in his sole discretion.
12. Assignment of the OA will not be permitted unless the GM, in his sole discretion, consents and only in the following circumstances: (a) the property is sold to another provider of "non-profit housing" who enters into an assignment agreement with the City and Indwell agreeing to be subject to all of the terms and conditions of the RSA for the remainder of the term of those agreements and such other terms and conditions as the GM and City Solicitor in their sole discretion deem appropriate.

13. Maximum rents shall be no more than 100% Median Market Rent for the CMHC Zone in which the building is located.
14. Units subject to this agreement may increase rents annually within a tenancy by the Provincial Guideline amount as specified annually by the Ontario Ministry of Municipal Affairs and Housing. Higher increases, if allowed by Ontario law, may be permitted at the sole discretion of the GM following submission of a business case justifying the increase.
15. Such additional terms and conditions as determined by the General Manager of Healthy and Safe Communities and required by the City Solicitor in their sole discretion.