

# CITY OF HAMILTON MOTION

Council: November 24, 2021

**MOVED BY COUNCILLOR J. FARR.....**

**SECONDED BY COUNCILLOR.....**

**Amendment to Item 2 to the Emergency and Community Services Committee Report 21-005, respecting Report HSC19048(a) Accessing Capital Repair Funds National Housing Strategy Co-Investment Fund CityHousing Hamilton**

WHEREAS, Council at its meeting of May 12, 2021, approved Item 2 of the Emergency and Community Services Committee Report 21-005, regarding Report HSC19048(a) Accessing Capital Repair Funds National Housing Strategy Co-Investment Fund CityHousing Hamilton authorizing the General Manager, Healthy and Safe Communities Department, on behalf of the City of Hamilton:

- to enter into a Letter of Intent (LOI) with CMHC in respect of the loans, which LOI provided that the City would grant an unlimited payment and performance guarantee and indemnity agreement to CMHC for all of CHH’s obligations of relating to the loans; and
- to execute, on behalf of the City, a guarantee to CMHC on the understanding that this guarantee would not exceed \$145,688,880 being the principal amount of the loans by CMHC to CHH;

WHEREAS, the City is sole shareholder of CityHousing Hamilton Corporation (CHH);

WHEREAS, the Canada Mortgage and Housing Corporation (CMHC) has agreed to loan CHH the sums of \$87,413,328 in repayable loans and \$58,275,552 in forgivable loans as part of the National Housing Strategy Co-Investment Fund – Repair and Renewal Stream to assist with the financing of repairs and renewal of six thousand two hundred and ninety units owned and operated by CHH;

WHEREAS, the City has agreed to guarantee the aforesaid loans;

WHEREAS, CMHC representatives have advised that CMHC is requiring the same or similar guarantees from all municipalities with wholly owned housing providers which are receiving loans under the National Housing Strategy Co-Investment Fund – Repair and Renewal Stream; and

WHEREAS, to avoid any uncertainty relating to the guarantee obligations of the City to CMHC, Council wishes to confirm its acceptance of an unlimited guarantee and indemnify to CMHC with respect to the loans between CMHC and CHH.

THEREFORE, BE IT RESOLVED:

That Item 2 of the Emergency and Community Services Committee Report 21-005, respecting Report HSC19048(a) Accessing Capital Repair Funds National Housing Strategy Co-Investment Fund CityHousing Hamilton, which was approved by Council on May 12, 2021, **be amended**, by deleting and replacing **sub-section (c) and adding sub-section (d)** to read as follows:

2. **Accessing Capital Repair Funds from the National Housing Strategy Co-Investment Fund for CityHousing Hamilton (HSC19048(a)) (City Wide) (Item 10.1)**
  - (a) That the General Manager of Healthy and Safe Communities Department, as the Service Manager, be authorized to enter into and execute the Letter of Intent with the Canadian Mortgage and Housing Corporation for funding through the National Housing Strategy Co-Investment Fund – Repair and Renewal Stream to support CityHousing Hamilton;
  - (b) That staff report back to the Emergency and Community Services Committee with any Service Manager consents or other approvals required to execute CityHousing Hamilton’s Credit Agreement with the Canadian Mortgage and Housing Corporation for the National Housing Strategy Co-Investment – Repair and Renewal Stream;
  - ~~(c) ***That the City of Hamilton will act as guarantor of the long-term financing and performance obligations identified in the Letter of Intent, not to exceed \$87,413,328 in repayable loans and \$58,275,552 in forgivable loans and that the General Manager, Finance and Corporate Services, and City Clerk be authorized to execute any agreements and ancillary documents relating to the guarantee;***~~
  - (c) ***That the City of Hamilton will enter into an unlimited payment and performance guarantee and indemnity agreement with CMHC with respect to these loans between CMHC and CHH, and that that the General Manager, Finance and Corporate Services Department and the City Clerk be authorized to execute any agreements and ancillary documents relating to the guarantee in a form satisfactory to the City Solicitor; and***
  - (d) ***That the General Manager, Healthy and Safe Communities Department be authorized to enter into and execute the Credit Agreement, and all ancillary documents, with the Canadian Mortgage and Housing Corporation for funding through the National Housing Strategy Co-Investment Fund – Repair and Renewal Stream to support CityHousing Hamilton in a form satisfactory to the City Solicitor.***