

HOUSING INFRASTRUCTURE COUNCIL & INDIGENOUS SERVICES CANADA MEMORANDUM OF UNDERSTANDING

OVERVIEW

The First Nations Housing & Infrastructure Council of British Columbia (HIC) is working to create a First Nations-controlled housing & infrastructure authority (Authority) in British Columbia. Once established, the Authority will assume responsibility for First Nations housing and infrastructure services and associated programs in BC.

BACKGROUND

Creation of an Authority is a step towards indigenous self-government and the goals of First Nations and federal governments for housing transformation under the federal government's national Indigenous Housing Strategy and the Assembly of First Nations' national First Nations Housing Strategy. It also contributes towards the Government of Canada's directive to transfer its delivery of indigenous services to indigenous control. It also reinforces the indigenous view that housing decisions should be in the hands of indigenous people.

HIC Mandate

As a step in the path towards indigenous self-government, to manage the process to design and implement a First Nation's controlled Housing & Infrastructure Authority ("Authority") in British Columbia that will:

- Assume authority and control for First Nations housing & infrastructure program delivery in British Columbia; and
- Deliver associated housing and infrastructure services.

FEDERAL GOVERNMENT COLLABORATION

Indigenous Services Canada (ISC) is leading from the Government of Canada. HIC has been working closely with ISC to contribute to the co-development of the future Housing & Infrastructure Authority and to facilitate a smooth transition. HIC and ISC have also established the Memorandum of Understanding (MOU) that commits the parties to the collaborative development of a housing and infrastructure authority for BC's First Nations. The MOU was signed by representatives of both parties in January 2019. Having a formal mandate from the federal government solidifies the collaborative intergovernmental relationship and the extensive work already underway between the parties. HIC and ISC have also developed a joint workplan that identifies the key milestones to create an Authority and transfer services.

HIC and ISC have started developing an agreement-in-principle for a to-be-negotiated agreement that outlines the terms of a transfer of housing and infrastructure authorities from Canada to the new Authority. The transfer of federal authorities means the new Authority will be fully responsible and accountable for designing and delivering housing and infrastructure programs and services to BC First Nations. HIC is not involved in a devolution process and the Authority is not intended to be a delivery agent for federal government programs; rather it will take over the federal government's authorities and will have the ability to determine its own programs and services plus use other delivery agents to help deliver those programs and services like the federal government does now.

HIC is also working with Canada Mortgage and Housing Corporation (CMHC) and ISC to determine if CMHC will sign on to the current MOU at a later date or if it will require a separate MOU because of its unique relationship in the federal system (being a corporation versus a department). Regardless, ISC is still the main party because it is responsible for federal coordination of the transfer of authorities to indigenous institutions on behalf of the federal government.

A MADE-IN-BC FIRST NATIONS MODEL

Being community driven is fundamental to the successful creation of the delivery model. Extensive engagement, consultation and collaboration with the BC First Nations housing and infrastructure community and leadership is essential to achieving success. To ensure the delivery model meets the needs of First Nations, HIC is engaging First Nations, government, associations, agencies, organizations, urban indigenous and other related service providers plus any others who can contribute towards its mandate. BC First Nations leadership provided the mandate for HIC to carry out this work. The BC First Nations community has been shaping development of the Authority since HIC's inception and will continue to contribute throughout this journey. HIC will continue engagement with First Nations' communities and organisations across BC to ensure First Nations' experience, expertise and best practices will contribute to the model for service delivery. BC First Nations will formally approve any final agreement that implements the Authority.

WHERE WE'RE AT

In its first phase of engagement, HIC held outreach sessions with First Nations across the province to build understanding of this initiative and to gain local perspectives to support development of the Authority. HIC compiled the excellent insight gathered during the first phase, which included more than 20 community outreach sessions with the BC First Nations housing community, as well as meetings with housing service providers, urban housing groups, education facilities and financial institutions. Using the knowledge and information gathered, HIC held a targeted delivery model design workshop in October 2018 with highly-experienced housing and infrastructure professionals to develop three housing and infrastructure delivery design concepts. HIC has turned these concepts into delivery model examples, which are being taken back to the BC First Nations for feedback in a second phase of engagement. This second phase of engagement will involve repeated sessions with various groups to further refine HIC's ideas, the delivery model and associated transfer agreement.

A DELIVERY MODEL ENVISIONED

HIC launched this process with an open slate, free of predetermined outcomes, and is looking to BC First Nations to help design the future delivery model. Important design questions are being addressed during the delivery model development process. Some of these include: the scope of the indigenous population served; the relationship between on and off-reserve housing; the scope of infrastructure; integration with or use of existing housing providers; and the link to the federal government's national Indigenous Housing Strategy and the AFN's national First Nations Housing & Infrastructure Strategy. Additional delivery model details such as organizational structure, programs, services, roles and responsibilities (provincial, regional, communities) and supporting service providers are also being determined through the engagement process.

HIC is working to create a new delivery system that is focussed on improved community appropriate services, quality service delivery and fostering a new relationship between on-reserve residents and their houses and community infrastructure.

At its core, the delivery model will be designed to reflect the needs of First Nations people, incorporate cultural sensitivities, accommodate regional and geographical considerations, support community readiness and address other factors arising from community engagement. This new Authority will be service oriented with an aim to bring efficiencies, ensure collaboration between the Authority, service providers and communities, and support those responsible for the coordination, delivery and management of housing and infrastructure services. The system will be designed to support First Nations to make their own decisions, expand their opportunities and ensure equal access to housing and infrastructure. The goal will be to enable and empower First Nations to deliver housing and infrastructure they envision for their community.

PROCESS TIMELINE (SUBJECT TO POLITICAL FACTORS)

TIME FRAME	ACTIVITY
January to November 2018	Preliminary engagement with BC First Nations, First Nations housing and infrastructure community, key government agencies, housing and infrastructure service providers to share information about the initiative, get preliminary input on the to-be-created authority and get advice on how to make HIC's engagement process more effective.
November 2018 to April 2019	Formalize relationship with the federal government including securing a federal mandate to substantively engage in the process. Develop delivery model options. Second round of engagement with BC First Nations, First Nations housing and infrastructure community, key government agencies, housing and infrastructure service providers to get input on the delivery model, terms of delivery and approval process for the agreement-in-principle and transfer agreement.
February 2019 to August 2019	Preliminary agreement on a delivery model and terms of delivery with BC First Nations and include all essential elements in an agreement-in-principle between HIC and Canada.
April 2019 to March 2020	Begin delivery of limited services, e.g., CMHC inspections.
August 2019 to January 2020	Review agreement-in-principle with BC First Nations and seek approval by First Nations and federal governments.
The October 2019 federal election will cause a 3-6 month gap in the federal government's ability to engage in the process and may result in a change of direction depending on the outcome of the election.	
December 2019 to May 2020	Negotiate Transition Agreement between HIC and Canada.
April 2020 to November 2020	Review transition agreement with BC First Nations and seek approval by First Nations and federal governments.
August 2020 to March 2021	Establish the Authority, including the organization (office, staff, systems), intergovernmental arrangements, supporting legislation, business and transition plans.
April 2021	Initiate transfer of authorities and delivery of services (additional transfer of authorities may continue according to the transition plans).

HOW WE GOT HERE

In 2016, Indigenous and Northern Affairs Canada (INAC) Minister Carolyn Bennett expressed the need to begin dialogue with First Nations on First Nations Housing and Infrastructure Reform. She said, “Think out of the box, think big, think Institutions. Do you need CMHC? Do you need a First Nation CMHC?”

In August 2017, Prime Minister Justin Trudeau dissolved INAC and created two new ministries; Indigenous Services Canada (ISC) and Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC).

In the mandate for the new Ministry it states the government’s intention to:

- Modernize our institutional structures and governance
- Build capacity that supports implementation of their vision of self-determination
- Move towards greater Indigenous self-government

HIC was envisioned early in the 2017-2018 fiscal year to begin implementation of the BC component of Assembly of First Nations’ (AFN) national First Nations Housing & Infrastructure Strategy, i.e., the creation of regional institutions. Discussions with approximately 200 BC First Nation housing community representatives during a “Housing Reform” forum in Victoria in March 2017, as well as discussions with BC First Nations leadership, indicated that creating an Authority is BC’s priority within the federal government’s and the AFN’s national strategies. HIC was formally established in the fall of 2017 in response to a political mandate from the members of the BC First Nations Leadership Council (BC Assembly of First Nations, First Nations Summit and Union of BC Indian Chiefs).

WHO WE ARE

HIC brings together political and specialist advisors with expertise and experience creating and managing housing policy, infrastructure, large-scale institutions, intergovernmental and policy framework in governance, finance and health. Its nine key members include political (chiefs), housing, infrastructure and institutional development specialists plus a youth representative. HIC is managed by an executive director with support from an executive assistant and various additional experts as required.

MORE INFORMATION

- For more information about HIC and its work, please visit www.fnhic-bc.ca
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