

RESEARCH REPORT



Assessment of the Requirements to Establish First Nations Building Inspection Units: Consolidation of Reports



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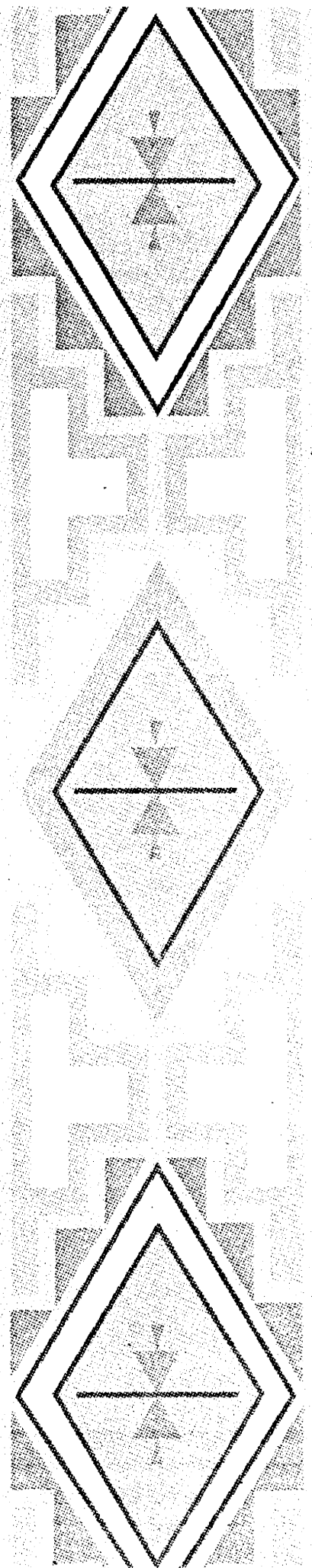
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**Assessment of the Requirements
To Establish First Nations
Building Inspection Units**

CONSOLIDATION OF REPORTS

**First Nations Management Inc.
MARCH 1994**



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THIS LEGISLATION IS DESIGNED TO AID IN THE IMPROVEMENT OF HOUSING AND LIVING CONDITIONS IN CANADA. AS A RESULT, CMHC HAS INTERESTS IN ALL ASPECTS OF HOUSING AND URBAN GROWTH AND DEVELOPMENT.

UNDER PART IX OF THIS ACT, THE GOVERNMENT OF CANADA PROVIDES FUNDS TO CMHC TO CONDUCT RESEARCH INTO THE SOCIAL, ECONOMIC AND TECHNICAL ASPECTS OF HOUSING AND RELATED FIELDS, AND TO UNDERTAKE THE PUBLISHING AND DISTRIBUTION OF THE RESULTS OF THIS RESEARCH. CMHC THEREFORE HAS A STATUTORY RESPONSIBILITY TO MAKE WIDELY AVAILABLE, INFORMATION WHICH MAY BE USEFUL IN THE IMPROVEMENT OF HOUSING AND LIVING CONDITIONS.

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EXECUTIVE SUMMARY

The purpose of this study is to determine the financial and human resources necessary to establish a system of First Nations housing inspection units across Canada, and to identify the legal, regulatory and other barriers that must be addressed if the system is to be put successfully into place. In response to the research topics presented in the request for proposals, First Nations Management Inc. prepared the following three topical papers.

Paper #1 - First Nations Housing Inspection: A Profile

This paper gives an overview of existing First Nations housing inspection units and discusses current systems for housing inspections and the interrelationships of existing compliance inspection units with other First Nations structures.

Throughout most regions of Canada, First Nations housing inspectors are organized under the auspices of individual First Nation communities, Tribal Councils, Indian Associations or other larger delivery units. Depending on size and available resources, individual Bands may have a full-time or part-time position designated within their administration for inspections. Bands also contract with private companies or freelance inspectors to undertake housing inspections.

Many parties hold a stake in the provision of First Nation housing inspection services on reserve. Stakeholders include the individual home owners, Bands, Tribal Councils, Regional and National Aboriginal organizations, and government agencies such as Indian Affairs, Health Canada, and CMHC.

Any comprehensive system of service delivery needs to address the interests of each party with the delivery of inspection services. In particular, the working relationships between the various level of Aboriginal organizations need to be clarified and agreed to in order to support the services provided by inspectors.

The overall interests in supporting the development of Indian governments must also be considered. It is important that this service be viewed as one component in a range of services that are directed by the governing bodies within First Nations communities. In this regard, the transition from government agency service provider is not a question of whether this should be done, rather it is a question of supporting the capacity through training and accreditation within the Aboriginal community and agreeing to the time-frames, financing and the process for this transition.

The following resource requirements emerged through our research:

- ◆ the need for inspection training, support and networking
- ◆ the need for information
- ◆ the elimination of duplication
- ◆ a need for improved coordination of inspection services and administration
- ◆ resources are needed, including for training & hiring of inspectors, travel, research and development, competitive salaries
- ◆ personnel resources
- ◆ band level training
- ◆ inspector designation
- ◆ conflict of interest guidelines
- ◆ CMHC contracting with First Nation inspectors
- ◆ accreditation
- ◆ non-housing inspections
- ◆ job availability

Paper #2 - First Nations Housing Inspection Units: Models & Resources

Respecting the right of individual First Nations to decide how inspection services are to be delivered within their communities, we examined what is required to extend the availability of current First Nation inspection approaches - through First Nations communities, Tribal Councils and regional inspection units - to all First Nation communities.

Approximately fifty per cent of the services inspection units deliver are advisory in nature. Inspectors emphasize the importance of this aspect of their work in meeting the need for housing expertise and skill at the community level.

Inspection units provide two basic types of service: inspection and advisory. Such services include:

INSPECTION SERVICES

- ▶ New construction compliance
- ▶ RRAP and other renovations
- ▶ Plumbing, water/sewer inspections and maintenance
- ▶ Fire, safety, and code compliance inspections
- ▶ Maintenance
- ▶ Vandalism and fire damage

ADVISORY SERVICES

- Engineering services
- Building services
- Health capital assets management
- Computer-aided drafting
- Database information systems
- Training
- New construction standards (energy efficient construction)
- Electrical
- Fire prevention
- Inspecting materials shipped
- Environment information - for construction, renovation, or use by contractors
- Plan evaluations
- Completing forms and other administrative tasks
- Home care advice

Service Delivery Needs

Additional resources are needed at every level within First Nation housing administration in order to bolster the current inspection options available to First Nations communities. Bands, Tribal Councils, Regional housing inspection units and First Nation inspectors all require information, training, and, most of all, additional funding to meet their housing inspection needs.

Principles of Service Delivery

In order to ensure that First Nations communities have a choice of options for the provision of housing inspection services, it is necessary to determine the financial and human resources required to ensure that each service option can meet the demand by First Nations. First Nations Management Inc. proposes basic criteria which establishes minimum standards for inspection services regardless of which mechanism is used. This criteria addresses several aspects of inspection services: accessibility; adequate supply of inspectors; affordability; standards; quality control; off-reserve compatibility; and; support mechanisms.

Resource Requirements

To successfully meet the demand by First Nations for housing inspection services, consideration must be given to ensuring that certain fundamental factors are in place. These include:

- ◆ a demand for the service
- ◆ authority to deliver the service
- ◆ administrative capacity
- ◆ financial resources
- ◆ access to trained inspectors

First Nation communities, Tribal Councils and regional inspection units are discussed in relation to these fundamental requirements.

ESTIMATES OF RESOURCE REQUIREMENTS

Using a standard set of line items and costing formulas we have devised a set of cost estimates and fee structures to determine the resources required to implement the three service options. The resulting costing models are tools to estimate the financial and personnel requirements for each administrative option, be it through fee for service or by employing inspection staff directly. These models can then be used to address the following scenarios:

► Meeting current inspection requirements

The cost model estimates the time it takes to inspect a new unit including major/minor renovations, as well as identifying formulas for calculating the work hours per year and the number of personnel required.

► Servicing backlog inspection requirements

We can estimate the number of units required to address the housing backlog in both new construction and major and minor renovations. This model also establishes the number of people required to undertake backlog inspections.

► Providing full inspection services (current and backlog requirements)

We can provide a further level of advisory services, including the total cost of inspections required for current residential units and addressing backlogs.

► **Supporting a typical inspection unit**

The cost model is then applied to the local level and provide an estimate of the total cost of inspections required for current residential units using any of the three options identified above.

The following estimates for each scenario were developed using the cost models:

Cost Estimates		
<u>Addressing Current Inspection Requirements</u>		
	Existing Services:	Full Services:
Purchase of Service	\$ 15.1m	\$ 25.9m
Employ Staff	8.2m	12.6m
<u>Addressing Backlog Requirements:</u>		
Purchase of Service	\$ 61.7m	\$ 95.7m
Employ Staff	38.9m	54.8m

Training & Accreditation

With input from First Nation inspectors, a plan is proposed for establishing the basis for training and certification support for current inspection services.

This includes a preliminary plan for developing a national First Nations inspection training and accreditation program. The following are key features of such a program:

- Aboriginal values
- community-based control and operation
- relevance to the needs of communities
- must lead to certification
- developed and delivered by Aboriginal organizations
- includes a three level program
 - Level 3 ► Compliance and Scope of Work Inspector
 - A) compliance inspections
 - B) advisory services and compliance
 - Level 2 ► Level 3 plus: Residential Electrical Inspector
 - Level 1 ► Level 2 plus: Residential Plumbing Inspector

Unquestionably, national First Nation institutions must take an active role in supporting the development and maintenance of a comprehensive system of inspection units with First Nations communities. We propose the development of a national First Nations Housing Institute as a focal point for the collection and sharing of information, the development of standards and training by and for First Nations communities, Tribal Councils and inspection units. National functions would include:

- ▶ a clearinghouse for information on housing issues
- ▶ development of a national housing training program
- ▶ national database of First Nation inspectors, contractors, training, standards, and programs
- ▶ obtaining agreement with building associations to recognize a national certification program
- ▶ obtaining agreements with regulatory bodies
- ▶ addressing financing issues
- ▶ developing ongoing recommendations for improving the quality of houses on Indian lands

It is also recommended that a First Nations Inspectors Association be established to give recognition and a much needed voice to First Nations inspectors across the country. Functions could include:

- ▶ advocating on behalf of First Nations inspectors
- ▶ developing industry standards for inspection services
- ▶ developing a national training and certification program
- ▶ providing opportunities for inspectors to network

Paper #3 - First Nations Housing Inspection: Regulatory Issues

Housing inspections alone do not create quality housing on reserves. To be effective, First Nations communities must be able to exercise the authority to establish, monitor and enforce building and health and safety policies and standards for houses on their reserves. More importantly, First Nations must have access to adequate resources to finance the operation of a housing program, including inspection services. Many bands do not presently have the necessary financial resources to implement effective inspection services in their communities.

While some Bands presently undertake their own inspections, others experience policy, legislative and administrative obstacles, or bureaucratic barriers, which hinders their ability to develop their own inspection units.

The following barriers were identified from discussions with First Nations communities and inspectors, followed by recommendations for change:

Inadequate financial resources:

- ◆ Establish sufficient levels of funding to maintain First Nations inspection units as an integral component of the housing budget
- ◆ Establish separate budgets for the national institutions required to support the administration of inspection units.

Lack of standards:

- ◆ Amend existing legislation to enable First Nations governments to exercise the authority to determine the standards to be used within their communities
- ◆ First Nations representatives should participate in developing these standards

Difficulty in enforcing standards:

- ◆ Clearly delineate policy, procedures and define the codes which apply in in the different areas of jurisdiction
- ◆ Clear job descriptions
- ◆ Objective reporting

Conflicting administrative responsibilities:

- ◆ Policies should be established by local communities which delineate lines of authority, roles and responsibilities.

Conflict of interest:

- ◆ Establish a clear separation of responsibilities so that inspectors are responsible only for compliance with codes and financial allocations. Progress draws should be the responsibility of housing administrators.

No accreditation nor recognition of First Nations inspectors:

- ◆ Establish a system where First Nations are accredited and recognized as inspectors

Bonding and liability:

- ◆ Bonding and liability must be addressed as part of First Nations training and certification procedures. Discussions should be initiated with the Canadian Insurance Association to reach an agreement which will result in Aboriginal building inspectors, or their representative organizations being able to receive liability and bonding insurance.

Regulatory Requirements to Implement Recommended Options

The following administrative, policy and/or legislative requirements are necessary for the implementation of the options presented in Paper #2.

Implementing the Three Delivery Options

Inspection services are already delivered to First Nation communities through mechanisms organized at the local, Tribal Council and provincial levels. In order for First Nations inspectors to provide a complete range of inspection services, CMHC must broaden its present administrative policies to allow First Nation inspectors to inspect NHA housing on reserves. This may require augmenting the skill level of First Nation inspectors.

CMHC managers have been instructed to be pro-active in hiring Indian inspectors. This direction is being taken up to varying degrees across the regions. An internal working group of representatives from national office divisions and representatives from AFN's Housing Task Force have met to discuss ways to facilitate the use of qualified Native inspectors by CMHC field offices for the purpose of carrying out NHA inspections on reserve. The working group has prepared a report of draft recommendations addressing the following NHA activity:

- RRAP delivery including progress inspections
- Section 95 new construction
- Portfolio management monitoring
- Project Haven/Next Step
- Insured lending
- Direct lending

The working group did not address the potential use of Native inspectors outside CMHC's existing jurisdiction. For example: electrical, gas, and septic systems inspectors.

- Recommendation:** ♦ Proceed with obtaining certification and accreditation.
♦ Establish certified training programs in these areas.

Establishing a National First Nations Housing Institute and National Association of First Nation Inspectors

National First Nation institutions can play an important role in the development and maintenance of a comprehensive system of inspection units. In Paper #2, we proposed the development of a national First Nations Housing Institute and a First Nations

Inspectors Association.

- Recommendation:** ♦ The development of this association must be viewed as a priority item.

Establishing a national training and accreditation program for First Nation Inspectors

First Nation inspectors have identified the need for the national coordination of inspector training. They also suggested a number of program, research, lobby, co-ordination and promotion activities which should be undertaken in support of improved training for inspectors.

- Recommendation:** ♦ The establishment of a national training and accreditation program for First Nation Inspectors should be the first priority for this new association.

List of Priority of Events

1. Establish a National First Nations Housing Institute and National Association of First Nation Inspectors;
2. Identify training needs and national datum chart;
3. Establish a training timetable;
4. Develop a communications process with First Nations communities;
5. Develop liaison with builders associations

RÉSUMÉ

Le but de la présente étude est de déterminer les ressources humaines et financières nécessaires à la mise en place d'un réseau de services autochtones d'inspection des logements dans tout le Canada, et de repérer les obstacles juridiques, réglementaires ou autres qu'il faudra surmonter pour implanter ce réseau. À l'égard des sujets de recherche mentionnés dans l'appel de propositions, First Nations Management Inc. a préparé les trois documents suivants.

Document n° 1 - Les services autochtones d'inspection : Profil

Ce document présente un aperçu des services autochtones d'inspection actuellement en place, traite des systèmes actuels d'inspection des logements et des rapports entre ces services et les autres organismes autochtones.

Dans la plupart des régions du Canada, les inspecteurs autochtones sont organisés sous les auspices des diverses collectivités des premières nations, des conseils tribaux, des associations indiennes ou autres organismes d'application de plus grande envergure. Selon leur taille et leur ressources, certaines bandes embauchent un inspecteur à temps complet ou à temps partiel. D'autres retiennent les services d'entreprises privées ou d'inspecteurs pigistes.

Plusieurs intervenants s'intéressent aux services d'inspection dans les réserves, notamment les propriétaires-occupants, les bandes, les conseils tribaux, les organismes autochtones régionaux et nationaux, de même que des organismes gouvernementaux comme Affaires indiennes, Santé Canada et la SCHL.

Tout réseau global de prestation des services doit tenir compte des intérêts de chaque partie. En particulier, il faut préciser les rapports de travail entre les organismes autochtones des divers paliers en ce qui touche les services assurés par les inspecteurs.

Il faut également tenir compte de l'intérêt global pour le développement des gouvernements indiens. Il est important que ce service soit considéré comme l'un des éléments de l'éventail de services relevant des organismes de gouvernement au sein des collectivités des premières nations. À cet égard, la question n'est pas de savoir si les prestataires gouvernementaux de services doivent passer la main, mais bien de favoriser cette transition par des activités de formation et d'accréditation au sein de la collectivité autochtone et de convenir des échéanciers, du financement et du processus.

Notre recherche a révélé les besoins suivants :

- * le besoin de former et d'appuyer les inspecteurs et de constituer des réseaux
- * le besoin d'information
- * l'élimination du double emploi
- * le besoin d'améliorer la coordination des services d'inspection et l'administration

- * des ressources sont nécessaires, en particulier pour former et embaucher des inspecteurs, les frais de déplacement, la recherche et le développement, des salaires compétitifs
- * des ressources en personnel
- * la formation au niveau de la bande
- * la désignation des inspecteurs
- * des lignes directrices sur les conflits d'intérêt
- * des contrats entre le SCHL et des inspecteurs autochtones
- * l'accréditation
- * l'inspection de bâtiments non résidentiels
- * l'existence d'emplois

Document n° 2 - Les services autochtones d'inspection des logements : modèles et ressources

Respectant le droit de chacune des premières nations de décider comment les services d'inspection doivent être assurés dans leurs collectivités, nous avons examiné ce qui est nécessaire pour offrir des services autochtones d'inspection à toutes les collectivités autochtones par l'entremise des collectivités locales, des conseils tribaux ou de services régionaux d'inspection.

Environ la moitié des services assurés ont un caractère consultatif. Les inspecteurs soulignent l'importance de cet aspect de leur travail, nécessaire pour combler de besoin de savoir faire et de compétences au palier local.

Les services d'inspection offrent deux grands types de services : inspection et consultation.

INSPECTION

- Ö conformité des constructions neuves
- Ö PAREL et autres rénovations
- Ö inspections et entretien de la plomberie, des services d'eau et d'égout
- Ö inspections pour la protection contre l'incendie, la sécurité et le respect des codes
- Ö entretien
- Ö vandalisme et dommages causés par les incendies

CONSULTATION

- Ö services de génie
- Ö services d'immeubles
- Ö gestion des immobilisations pour la santé
- Ö dessin aidé par ordinateur
- Ö bases de données informatiques
- Ö formation
- Ö normes de construction neuve (efficacité énergétique)
- Ö électricité
- Ö prévention des incendies
- Ö inspection des matériaux

- Ö renseignements environnementaux pour la construction, la rénovation ou à l'intention des entrepreneurs
- Ö évaluation des plans
- Ö remplir des formules et autres tâches administratives
- Ö conseils sur l'entretien des maisons

Les besoins pour la prestation des services

Il faut de nouvelles ressources à tous les paliers pour développer les options d'inspection qui s'offrent aux collectivités autochtones. Les bandes, les conseils tribaux, les services régionaux d'inspection et les inspecteurs autochtones ont tous besoin d'information, de formation, et, surtout de fonds supplémentaires pour répondre à leurs besoins en matière d'inspection des logements.

Les principes de la prestation des services

Pour permettre aux collectivités autochtones de choisir entre plusieurs options pour la prestation des services d'inspection, il faut déterminer les ressources humaines et financières pour assurer que chaque option puisse répondre à la demande. First Nations Management Inc. propose des critères de base qui fixent des normes minimum pour les services d'inspection, quel que soit le mécanisme utilisé. Ces critères portent sur plusieurs éléments : l'accessibilité, un nombre suffisant d'inspecteurs, l'abordabilité, les normes, le contrôle de la qualité, la compatibilité hors réserve et les mécanismes de soutien.

Ressources requises

Pour répondre à la demande des premières nations en matière de services d'inspection des logements, il vaut veiller à ce que certains facteurs fondamentaux soient en place, notamment :

- * une demande pour le service
- * le pouvoir de donner le service
- * la capacité administrative
- * les ressources financières
- * l'accès à des inspecteurs formés

Les collectivités locales autochtones, les conseils tribaux et les services régionaux d'inspection sont examinés par rapport à ces exigences fondamentales.

ESTIMATION DES RESSOURCES NÉCESSAIRES

À partir d'un ensemble standard d'articles et de formules d'établissement des coûts, nous avons calculé un ensemble d'estimations des coûts et de structures d'honoraires en vue de déterminer les ressources nécessaires pour donner effet aux trois options de service. Les modèles de prévision qui en découlent sont des outils qui permettent d'estimer les ressources humaines et financières nécessaires pour chaque option administrative, que les inspecteurs soient rémunérés à l'acte ou à salaire. Ces modèles peuvent ensuite être appliqués aux scénarios suivants :

Ö Répondre aux besoins actuels en matière d'inspection

Le modèle estime le temps qu'il faut pour inspecter un logement neuf ou ayant subi des rénovations majeures ou mineures, en plus de fournir des formules pour calculer les heures de travail par année et le nombre de personnes requis.

Ö Régler l'arriéré

Nous pouvons estimer le nombre d'unités nécessaires pour régler l'arriéré des constructions neuves et des rénovations majeures ou mineures. Le modèle détermine aussi le nombre de personnes nécessaires pour entreprendre les inspections en souffrance.

Ö Assurer tous les services d'inspection (besoins actuels et arriéré)

Nous pouvons assurer un autre niveau de services consultatifs, y compris le coût total des inspections nécessaires pour la charge de travail actuelle et l'arriéré.

Ö Appuyer un service d'inspection typique

Le modèle de prévision est alors appliqué au palier local pour donner une estimation du coût total des inspections nécessaires pour les logements actuels selon les trois options indiquées ci-dessus.

Les modèles ont permis de calculer les estimations suivantes pour chaque scénario :

Estimations des coûts

Répondre aux besoins actuels

	Services existants	Services complets
Achat des services	15,1 millions \$	25,9 millions \$
Embauche de personnel	8,2 millions \$	12,6 millions \$

Régler l'arriéré

	Services existants	Services complets
Achat des services	61,7 millions \$	95,7 millions \$
Embauche de personnel	38,9 millions \$	54,8 millions \$

Formation et accréditation

D'après les commentaires des inspecteurs autochtones, un plan est proposé pour jeter les bases des activités de formation et d'accréditation nécessaires pour les services actuels d'inspection.

Ceci comprend un plan préliminaire pour l'élaboration d'un programme de formation et d'accréditation des Autochtones en matière d'inspection. Voici les principaux éléments de ce programme :

Ö valeurs autochtones

- Ö contrôle et fonctionnement axés sur la collectivité
- Ö correspondre aux besoins des collectivités
- Ö doit mener à l'accréditation
- Ö mis au point et offert par des organismes autochtones
- Ö comprend un programme à trois niveaux
 - Niveau 3 Ö Inspection de la conformité aux normes et de la portée des travaux
 - A) conformité aux normes
 - B) services consultatifs et conformité
 - Niveau 2 Ö Niveau 3 plus inspection électrique résidentielle
 - Niveau 1 Ö Niveau 2 plus inspection de plomberie résidentielle

Sans aucun doute, les institutions nationales des premières nations doivent activement appuyer la mise en place et le maintien d'un réseau complet de services d'inspection dans les collectivités autochtones. Nous proposons la création d'un Institut national d'habitation des premières nations qui servirait de centre pour la collecte et l'échange d'information, la mise au point de normes et de programmes de formation par et pour les collectivités autochtones, les conseils tribaux et les services d'inspection. Les fonctions nationales comprendraient :

- Ö servir de centre d'information sur les questions de logement
- Ö mettre au point un programme national de formation en habitation
- Ö base nationale de données sur les inspecteurs et les entrepreneurs autochtones, la formation, les normes et les programmes
- Ö obtenir l'accord des associations de construction pour la reconnaissance d'un programme national d'accréditation
- Ö obtenir des ententes avec les organismes de réglementation
- Ö s'attaquer aux questions de financement
- Ö formuler en permanence des recommandations visant à améliorer la qualité des maisons sur les terres indiennes.

Il est aussi recommandé de créer une Association des inspecteurs des premières nations pour donner aux inspecteurs autochtones de tout le pays la reconnaissance et la voix dont ils ont grand besoin. Ses fonctions pourraient comprendre :

- Ö représenter les inspecteurs autochtones
- Ö élaborer des normes de l'industrie pour les services d'inspection
- Ö mettre au point un programme national de formation et d'accréditation
- Ö donner aux inspecteurs l'occasion de se constituer des réseaux

Document n° 3 - Les services autochtones d'inspection : Questions de réglementation

Les inspections ne suffisent pas à assurer la qualité des logements dans les réserves. Pour être efficaces, les collectivités locales autochtones doivent disposer du pouvoir de fixer, de contrôler et d'appliquer des lignes de conduite et des normes en matière de construction, d'hygiène et de sécurité pour les maisons situées dans leur réserve. Surtout, les

premières nations doivent avoir accès à des ressources suffisantes pour financer un programme de logement, y compris les services d'inspection. À l'heure actuelle, beaucoup de bandes n'ont pas les ressources financières nécessaires pour mettre en oeuvre des services efficaces d'inspection.

Si certaines bandes procèdent actuellement elles-mêmes aux inspections, d'autres se heurtent à des obstacles sur le plan des politiques, des lois ou des procédures administratives, ou à des barrières bureaucratiques, qui les empêchent de mettre sur pied leurs propres services d'inspection.

Les entretiens avec les collectivités et les inspecteurs autochtones ont permis de dégager les obstacles suivants, et de formuler des recommandations :

Insuffisance des ressources financières

- * Fournir des fonds suffisants pour permettre de maintenir les services autochtones d'inspection comme partie intégrante du budget de logement.
- * Constituer des budgets distincts pour les institutions nationales nécessaires pour appuyer l'administration des services d'inspection.

Absence de normes

- * Modifier les dispositions législatives pour conférer aux gouvernements autochtones le pouvoir de fixer les normes à utiliser sur leur territoire.
- * Des représentants autochtones devraient participer à l'élaboration de ces normes.

Difficulté d'application des normes

- * Bien préciser les lignes de conduite, les méthodes et les codes relevant de chacune des autorités compétentes.
- * Des descriptions de postes claires.
- * Des rapports objectifs.

Conflits entre les fonctions administratives

- * Les collectivités locales devraient préciser les rapports hiérarchiques, les rôles et les fonctions.

Conflits d'intérêt

- * Faire une distinction nette entre les fonctions de sorte que les inspecteurs soient chargés uniquement de la conformité aux codes et des affectations financières. Le versement des avances devrait relever des administrateurs du logement.

Les inspecteurs autochtones ne sont ni accrédités ni reconnus

- * Mettre en place un système pour accréditer et reconnaître des Autochtones comme inspecteurs.

Cautions et responsabilité

- * La questions des cautions et de la responsabilité doit être abordée dans le cadre des méthodes de formation et d'accréditation des Autochtones. On devrait entamer des pourparlers avec l'association canadienne d'assurance pour que les inspecteurs autochtones ou les associations qui les représentent puissent bénéficier de l'assurance responsabilité ou de la caution.

Mesures réglementaires pour appliquer les options recommandées

Les mesures suivantes sont nécessaires sur le plan de l'administration, des politiques ou des dispositions législatives pour la mise en oeuvre des options présentées au document n° 2.

Mise en oeuvre des trois options d'application

Les services d'inspection sont déjà assurés aux collectivités autochtones par des mécanismes relevant de la collectivité locale, du conseil tribal ou du palier provincial. Pour que les inspecteurs autochtones puissent offrir la gamme complète des services d'inspection, la SCHL doit élargir ses lignes de conduite administratives pour permettre aux inspecteurs autochtones d'inspecter les logements LNH dans les réserves. Il pourrait s'avérer nécessaire de hausser le niveau de compétence des inspecteurs autochtones.

Les cadres de la SCHL ont reçu l'ordre de chercher activement à embaucher des inspecteurs indiens. Cet ordre est appliqué à des degrés divers selon les régions. Un groupe de travail interne composé de représentants des divisions du Bureau national et du groupe de travail de l'APN sur le logement s'est réuni pour discuter des moyens de faciliter pour les bureaux extérieurs de la SCHL le recours à des inspecteurs autochtones compétents pour les inspections LNH dans les réserves. Le groupe de travail a préparé une liste préliminaire de recommandations portant sur les activités suivantes aux termes de la LNH :

- Application du PAREL, y compris les inspections d'étape
- Construction neuve aux termes de l'article 95
- Contrôle de la gestion du portefeuille
- Opération refuge / L'étape suivante
- Assurance-prêt
- Prêts directs

Le groupe de travail n'a pas abordé la possibilité d'utiliser des inspecteurs autochtones en dehors des secteurs de compétence actuels de la SCHL, par exemple l'inspection de l'électricité, du gaz et des systèmes septiques.

Recommandation :

Obtenir la certification et l'accréditation,
Mettre en place des programmes accrédités de
formation dans ces domaines.

Création d'un Institut national d'habitation des premières nations et d'une Association nationale des inspecteurs des premières nations

Les institutions autochtones peuvent jouer un rôle important dans la mise en place et le maintien d'un réseau complet de services d'inspection. Dans le document n° 2 nous avons proposé la création d'un Institut national d'habitation des premières nations et d'une Association des inspecteurs des premières nations.

Recommandation : La création de cette association doit être considérée comme prioritaire.

Mise en place d'un programme national de formation et d'accréditation pour les inspecteurs autochtones

Les inspecteurs autochtones reconnaissent la nécessité d'une coordination nationale de la formation des inspecteurs. Ils ont aussi proposé plusieurs activités de programme, de recherche, de lobbying, de coordination et de promotion qu'il faudrait entreprendre en vue d'améliorer la formation des inspecteurs.

Recommandation : La mise en place d'un programme national de formation et d'accréditation des inspecteurs autochtones devrait être la première priorité de cette nouvelle association.

Liste des priorités

1. Créer un Institut national d'habitation des premières nations et une Association nationale des inspecteurs des premières nations.
2. Dégager les besoins de formation et un tableau Dacum national.
3. Fixer un calendrier de formation.
4. Mettre en place un mécanisme de communication avec les collectivités autochtones.
5. Assurer la liaison avec les associations de constructeurs.



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1. INTRODUCTION

Control over all aspects of First Nation housing, including the development and enforcement of standards of construction, has been a long standing goal of First Nations representatives.

One aspect of housing in which there has been a fair amount of Aboriginal involvement is the inspection of houses. Housing inspection units have been set up by First Nations in a number of locations, but are ad hoc due to insufficient funding. First Nations wish to assume more responsibility for providing inspection services for both NHA funded and non-NHA funded construction and rehabilitation activity on reserve.

AFN is proposing that a system of compliance inspection units be set up under the control and direction of First Nations, which could meet all their inspection requirements.

An adequately funded, comprehensive system of First Nations housing inspection units would improve planning and efficiency, improve housing quality, create much needed jobs and contribute to the realization of self-determination.

Purpose

The purpose of this study is to determine the financial and human resources necessary to establish a system of First Nations housing inspection units across Canada, and to identify the legal, regulatory and other barriers that must be addressed if the system is to be put in place. First Nations Management Inc. has been contracted to undertake this research assignment.

First Nations Management Inc. is preparing interim progress reports in the form of three topical papers for the Housing Task Force. The papers address the research topics presented in the request for proposals. Drafts of each paper are submitted to the project authority and FNM will make revisions based on deliberations with the Steering Committee.

In Paper #1 - First Nations Housing Inspection: A Profile, we provide an overview of existing First Nations housing inspection units detailing the present scope of activities; number of staff; roles and responsibilities; current operating costs; administrative and reporting structures; and other related topics;

We discuss current systems for inspection of First Nations housing, including processes and related requirements, pre-requisite training, education, certification and related topics;

Finally, we discuss the interrelationships of existing compliance inspection units with other First Nations structures, the degree of compatibility among them, and recommendations as to ways these aspects can be strengthened.

Paper #2 - First Nations Housing Inspection Units: Models & Resources will present and discuss three First Nations models for inspecting building construction and renovation, water and waste disposal installations and electrical systems, for compliance with established codes in effect in their communities.

We will examine training availability and delivery of courses, and funding requirements. We will also look at the extent to which existing sources of funding can be tapped to sustain operation of the proposed inspection units.

Paper #3 - First Nations Housing Inspection: Regulatory Issues will discuss legal and regulatory barriers to establishing First Nations inspectors units, including such issues as surety bonding, insurance and liability. The paper will present recommendations as to ways these barriers can be overcome.

1.1 BACKGROUND

Indian and Northern Affairs Canada is the lead federal agency responsible for housing on reserves. Under INAC's On-Reserve Housing Program, Indian bands and individuals living on reserves receive support in the form of capital subsidies which are provided for the construction and acquisition of new homes, and for renovation of existing units. Funds are also provided for other activities such as training, management and technical assistance to bands. INAC also provides assistance for the acquisition and maintenance of capital facilities and services. This involves construction of water and sanitation facilities.

Canada Mortgage and Housing Corporation (CMHC) social housing programs on reserve include the Non-profit Housing Program, and the Residential Rehabilitation Assistance Program (RRAP).

The Non-profit Housing Program is operated by CMHC in conjunction with INAC to assist bands to provide housing assistance on reserve, and includes: interest-free repayable loans to assist bands in developing a project proposal; financial

contributions from INAC for the construction of projects; and, annual operating assistance that reduces the project operating costs.

The Rent Supplement Program (section 95) assists households in need of suitable and adequate housing by reducing rents in eligible rental accommodations to a specified portion of their income.

The Residential Rehabilitation Assistance Program provides financial assistance to low-income home-owners in need of assistance to repair their homes to meet acceptable health and safety standards, and to facilitate the modification of housing for disabled occupants.

In 1982, a Cabinet Document announced that all on-reserve housing stock was to be built to the National Building Code (NBC) standard and be inspected for compliance by CMHC inspectors, or external inspectors approved by CMHC. Qualification criteria and processes were developed by CMHC and implemented to designate inspectors to carry out non-NHA inspections.

Ten years later, in 1992, CMHC advised its field offices that designated inspectors could also carry out inspections on NHA financed new single housing units on reserve.

CMHC has established qualifications criteria and an inspector designation process for individuals employed as compliance inspectors of residences on Indian reserves, other than inspectors directly employed by CMHC. CMHC assists INAC in designating First Nation inspectors to carry out on-reserve inspections of non-NHA (National Housing Act) housing. Examinations of inspectors for this purpose take place on a regional basis.

The CMHC role in inspection service has lessened over the past decade due in part to an increase in the availability of both municipal and private sector inspection services. We understand that CMHC's staff complement for inspectors has been down-sized considerably in recent years.

Monitoring inspections and percentage complete assessments undertaken for NHA financed construction on reserve are completed by CMHC staff. CMHC delivers inspection services for NHA housing through staff inspectors or by contracting out the service to delivery agents on a fee-for-service basis. CMHC now contracts out RRAP inspections to First Nations delivery agents in several, but not all provinces. However, CMHC still inspects most section 95 NHA housing.

CMHC Working Group

It is our understanding that CMHC managers have been instructed to be pro-active in hiring Indian inspectors. We are of the impression from our interviews that this direction is being taken up to varying levels across the regions. For instance, Ontario tends to contract directly with Bands, Tribal Councils and the Indian Inspectors Unit to perform RRAP inspections, while in the Prairie provinces it appears there is no movement to utilize trained Indian inspectors for section 95 NHA housing.

CMHC has struck an internal working group of representatives from national office divisions to facilitate CMHC field office use of qualified native inspectors for the purpose of carrying out NHA inspections on reserve (see Appendix A). The working group plans to have a set of draft recommendations ready by the end of December and foresees implementation of approved policies and processes by mid- to late February, 1994. The working group will address the following NHA activity:

- RRAP delivery including progress inspections
- Section 95 new construction
- Portfolio management monitoring
- Project Haven/Next Step
- Insured lending
- Direct lending

The working group is not addressing the use of native inspectors outside CMHC's jurisdiction, e.g. electrical, gas, and septic systems.

1.2 METHODOLOGY

FNM is using a number of research tools in undertaking this assignment:

- * A review of literature from the following sources:
 - Working papers and files from the Assembly of First Nations;
 - Material supplied by INAC and CMHC national and regional offices;
 - Material supplied by the Indian Inspectors Unit, Tribal Councils and the Saskatchewan Indian Housing Commission;
 - Published government reports and Committee transcripts.

- * Telephone interviews and consultations:
 - with members of the AFN housing committee, First Nations housing organizations and inspection units, CMHC and INAC.
- * Personal meetings:
 - with CMHC, INAC and AFN officials

To garner as much information as possible within the budget for this research, FNM conducted selected telephone and in-person interviews with Housing Task Force representatives, First Nations inspection units, and CMHC and INAC personnel. These interviews formed the primary source of information for this report.

2. OVERVIEW OF CURRENT FIRST NATIONS INSPECTION UNITS

LOCATION AND NUMBER

Throughout most regions of Canada, First Nations housing inspectors are organized under the auspices of individual First Nation communities, Tribal Councils or Associations and larger delivery units. Depending on the size and financial capacity, individual Bands may have a full-time or part-time position designated within their administration for inspections. For example, in Manitoba there are two inspectors per Tribal Council administration and one inspector each for three large, independent Bands. Individual Bands also contract with private companies or freelance inspectors to undertake housing inspections.

A precise picture of the number and location of First Nations inspectors is presently not available. It would be possible to compile such a picture from information contributed from a number of sources, namely: CMHC (some regions have undertaken audits of designated inspectors from time to time), INAC (regional offices have prepared lists of inspectors that have been designated by CMHC), and First Nation delivery agents. CMHC has agreed to contribute information it is collecting through its working group.

We asked interviewees to estimate the number and location of CMHC designated First Nation housing inspectors operating in each region.

Atlantic:	Confederacy of Mainland MicMacs: 5 inspectors
Quebec:	Estimate of 12 designated inspectors.
Ontario:	Six Nations of the Grand River Council: 1 inspector Windigo Tribal Council: 1 inspector Shibogama Tribal Council: 1 inspector South First Nations Secretariat: 1 inspector Ojibway 1850 Tribal Council: 1 inspector Indian Inspectors Unit: 12 inspectors and 1 trainer
Manitoba:	Estimate of 10 inspectors among the seven Tribal Councils
Sask:	Estimate of 13 inspectors in Tribal Councils
Alberta:	Unknown as yet
B.C.:	information not available
Yukon:	Estimate of 6 inspectors
N.W.T.:	Unknown as yet

STRUCTURE AND ACTIVITIES

The degree to which regular inspections on reserves are carried out by First Nations inspectors depends upon a number of factors, among them:

- ◆ the availability of designated First Nation inspectors;
- ◆ the extent to which CMHC (regional) offices contract out delivery of inspection services to First Nation inspectors;

- ◆ the type of housing in the community (ie NHA or non-NHA);
- ◆ affordability
- ◆ geographical factors

Over the years, CMHC has designated an undetermined number of First Nation inspectors. The Alberta region alone examines an average of 15 candidates each year and has done so since 1987. We do not presently know if these people are now working in the field.

Inspection Services Delivered By Individual First Nations

Individual First Nations communities within Tribal Councils usually receive inspection services from the technical services or housing units of their Tribal Council. Unaffiliated communities, such as Kahnawake and Six Nations rely upon CMHC inspectors or agents, private inspection firms and/or freelance individuals to undertake a variety of inspection activities in their communities.

Everyone acknowledged that First Nations communities require further training and support resources related to the management of housing programs. We have heard from our communications with local interests that, in fact, many homes on reserves do not receive inspections.

Where housing is built by the owners (some with financial support from the Council or from private lenders), Councils contract with private inspectors on a fee-for-service basis or have someone on staff to do new construction and RRAP inspections. One community we spoke with has a full-time inspector on staff who does inspections for the houses the Band builds (67 inspections last year), and contracts with the Indian Inspection Unit to have a full-time inspector perform RRAP and Section 10 (Ministerial Guarantee) inspections. Inspectors provide additional services in that they approve the drawings prior to construction. There is no cost to the home owner. The budget for their own inspector comes out of the administrative dollars INAC has in their operating budget. CMHC provides money for the RRAP inspections. Electrical inspections are undertaken by the provincial hydro agency, water and sewer by the Health Canada (formerly HWC).

In Kahnawake, the Caisse Populaire Kahnawake, a community-owned financial institution, also hires a private inspector to undertake inspections on homes that are mortgaged through that institution. This is a unique feature in the Aboriginal community in that this institution has developed a loan security system for immoveables on Indian territory which bypasses the restrictions of s.89 of the Indian Act.

Inspection Services Delivered By Tribal Councils

Most Tribal Councils deliver inspection services to their representative First Nation communities. Usually under the auspices of a housing or engineering and technical services unit. Tribal Councils provide a range of community planning and capital, housing, maintenance management, and fire and safety services to First Nation communities, among them:

- Engineering advisory services
- Plumbing, water/sewer inspections and maintenance
- Fire, safety, and code compliance inspections
- CMHC,RRAP and housing inspections
- Construction compliance inspections
- Building advisory services
- Health capital assets management
- Computer-aided drafting
- Database information systems
- Training programs

Inspection Services Delivered By Larger Administrative Units

The Indian Inspection Unit in Ontario is the largest provincial organization delivering centralized inspection services. The IIU delivers inspection services to approximately 75% of the First Nation communities throughout Ontario.

The Indian Inspection Unit

On Reserve Housing Code Compliance Inspection, Inc, also referred to as the Indian Inspectors Unit, was created by a resolution passed at the All Ontario Chiefs Assembly in June of 1983 giving the OIHC the mandate to establish an organization to house the Building Inspectors. In May of 1984, the all Ontario Chiefs Assembly

passed a resolution supporting the formation of the Indian Inspectors Unit. The IIU was incorporated as a non-profit corporation that year.

IIU is mandated to provide compliance inspections, RRAP and advisory services to First Nation communities in Ontario.

The Unit conducts an average of 500 compliance inspections each year to ensure new house construction meets building code standards for health, safety and durability.

The Unit provides inspections for RRAP units as an agent for CMHC, but does not inspect section 95 units. Renovation inspections funded by INAC are carried out at the request of First Nations.

Inspectors also provide an extensive array of advisory services to First Nations on such aspects as housing guidelines/policies; house design; construction techniques; dealing with supplies and contractors; to doing workshops with home owners to explain the inspector's role as well as providing a maintenance schedule for a housing unit. House plans for new house construction are reviewed to meet building code requirements. Bands most frequently want help with learning how to manage their housing projects.

Inspectors schedule visits to communities and establish a contact person to work with prior to the construction season, to obtain and approve housing plans, and to explain when inspections are carried out. Regular visits are established and the First Nation is responsible for contacting the IIU office to ensure the inspections are completed. IIU staff also meet with Bands to explain the role of the organization and the services it provides.

The IIU is requested to carry out inspections for projects that are construction related which may include evaluations of existing units, minor capital projects, and renovations and will negotiate a fee for such services.

The Ontario Housing Council developed a building code that would be more suitable for use on Indian reserves in that province. Part 9 of the National Building Code was used as a reference guide in forming the "Residential Building Code for Indian Reserves" (RBCIR). Developed in 1985, the code is in need of updating.

The OIHC, with the assistance of the Engineering & Architecture staff at INAC, the Ontario Building Officials Association, and both Fanshawe College in London and Sault College in Sault Ste. Marie, developed a curriculum to train inspectors for compliance inspections of residential buildings. CMHC recognized and designated the

trainees as qualified inspectors upon passing the exams. Training of inspectors took place in 1982/83 and in 1988/89. About 50 people have gone through the training course and the demand for training is high. Training is now delivered through Confederation College and Sault College. The most recent course was nine weeks long.

IIU inspectors participate in training programs offered through CMHC, the Ontario Home Builders Association, the Canadian Wood Energy Institute, The Heating, Refrigeration, Air Conditioning Institute and other sources to update their knowledge and skills in the house construction trades.

A number of Tribal Councils and individual First Nations have approached the IIU to request funds to take over the inspection delivery for their areas. The Chiefs are considering whether to have inspections services decentralized to have local technical units provide the service and what the future is for the Indian Inspectors Unit. The All Ontario Chiefs have mandated the Ad Hoc Committee on Devolution to develop a proposal that would address the transfer of Technical Services from Indian Affairs. The proposal would include the incorporation of the inspections delivered by the IIU. The committee has met with First Nations and Tribal Councils to discuss models for a proposed Technical Services Organization.

Saskatchewan Indian Housing Commission

In Saskatchewan, Housing and inspection services are delivered to First Nations communities through Tribal Councils with the Federation of Saskatchewan Indian Nations playing a coordinating role through the Saskatchewan Indian Housing Commission (SIHC). Inspection staff are under the direct supervision of District/Tribal/Agency/Independent (DTAI) Councils, but are also responsible to regularly submit plumbing inspection reports to the First Nation, CMHC and district engineers for RRAP and NHA funded units, and the First Nation and district engineer only, for non-NHA funded units.

SIHC represents the First Nation governments on matters concerning First Nation housing policy and holds regular meetings with inspectors in the province.

A Housing Compliance Inspector Program has been in operation for five years. In a recent evaluation, the Commission concluded that housing programs and policies and fire prevention services could be more effective if they were delivered by people with special knowledge of the First Nations communities. Trainees were certified as compliance inspectors and tested by CMHC to enforce Part 9 of the National

Building Code and received training to assist them to perform the functions of Fire Prevention Officers, plumbing inspections and to assist in the regional housing needs assessment undertaken by FSIN and the Tribal Councils in 1991. The evaluation noted that regular financing from a single source would make it possible to develop long-term plans for the program.

To ensure service levels are of equivalent standards, the evaluation made several recommendations concerning the role, training, administration and function of inspectors.

3. PRESENT SCOPE OF ACTIVITIES

Compliance Inspections:

INAC requires First Nations to have house plans approved prior to construction in order to estimate the proper materials to purchase and to construct the units to meet health, safety and durability standards. A minimum of four compliance inspections are carried out on each unit funded by INAC: a Foundation Inspection, Insulation Air/Vapour Barrier, a Final Inspection and a Random Inspection (usually a performance advance inspection). Site inspections are also a common requirement. We understand that some First Nation inspectors do as many as 12 inspections per unit as a means of ensuring compliance and the best quality work by contractors. Progress inspections are also performed to ensure work is proceeding as expected.

CMHC or their delivery agents do initial, interim advance and final inspections of work done under RRAP. Sometimes more inspections are done.

Scope of Work Inspections

Inspectors perform scope of work inspections for repairs to capital housing units. Scope of work inspections are a means to check to see that work is proceeding in a logical manner and on schedule. Scope of work inspections usually trigger the release of progress payments, either to the home owner or the contractor.

Advisory Services:

Most of the inspectors we spoke with said they provide advisory services on requests made by First Nations communities on many aspects of housing planning, construction and administration. One inspector estimated the split between time spent on inspections and advisory services to be 40/60 respectively. This ratio varies among

delivery agents and communities. Inspectors often advise Band housing co-ordinators with orientation to housing services, documentation, budgeting and planning.

Some First Nation communities also ask inspectors to prepare housing applications for them.

It appears that developing a greater capacity to manage all aspects of housing at the First Nation community level is of paramount concern to all parties.

Other Inspection Services

Inspectors are sometimes requested to perform non-housing inspection services on band buildings.

Inspectors and delivery agents (Tribal Councils, IIU) want to deliver other technical inspection services (ie for water, sewer, electrical) but often lack qualifications to do so. They receive requests to inspect commercial buildings, but again often lack the requisite qualifications.

Inspector Profile

Most inspectors have worked in one or several trades in the construction industry. There are very few available professionals (engineers, architects, planners etc) associated with the present inspection units. Backgrounds typically include carpentry and general construction. A number of inspectors have come through the Native Cadre program of CMHC.

Inspector turnover was not raised as an area of concern in our interviews. IIU reports that some of their inspectors have been with IIU for 9 years. The most difficult place to keep inspectors was in the North where inspectors may only stay for a year or two.

Salary levels for inspectors vary from one region to another, with a range of \$23,000 to \$37,000 in Ontario.

Roles and Responsibilities

Housing inspections at the Band level are carried out by either Band retained inspectors, a contracted agency, or CMHC.

At the Tribal Council level, inspectors work for the Tribal Council and deliver inspection and advisory services to member First Nations communities usually without charge. Where they are the RRAP agent for CMHC, the Tribal Council is responsible for administering the program and filing the appropriate reports with CMHC.

Current Operating Costs

Information concerning the cost of delivering inspection services is presently incomplete and will be addressed in Paper #2.

Tribal Councils and larger units, such as IIU in Ontario, receive funding for inspection services in the form of core funding allocations from INAC and fee-for-service contracts from CMHC (as RRAP delivery agents). CMHC pays a fee-for-service to RRAP delivery agents according to a standard guideline set nationally.

In at least one region, INAC distributes C31 inspection fees to the Tribal Councils and informs the bands that they have done so. Bands are then required to contact the appropriate Tribal Councils to receive these services.

When asked to estimate the current and projected need for inspection services on reserve, everyone we spoke to said the demand is greater than the supply (refer to Appendix B for a profile of current and projected housing demand). Inspectors, Service providers and communities are naturally looking to see what the federal government will do to address the huge backlog of new construction and renovations outlined in numerous reports, such as *Laying The Foundations of a New On-Reserve Housing Program*, *A Time For Action*, and the AFN's *First Nations Proposal For Submission To Cabinet On A New First Nations Housing Policy*.

To begin to estimate the requirements for future inspection needs, we are developing a number of costing models which support the delivery of inspection services from the Band, Tribal Council and larger unit perspective. We are relying on Task Force members and housing people in the field to relay information concerning actual costs of inspections to us.

Administrative Reporting Structures

Tribal Council inspectors complete inspection reports and provide a copy to the First Nation community, to INAC (unless AFA funded), CMHC (in the case of RRAP) and keep one at the Tribal Council offices. The community is informed of any deficiencies and these are checked at the next inspection.

Band inspectors are employed directly by the Band and, depending upon Band size and resources, work generally for the housing directorate or the technical unit at the Band level.

In the case of the larger, province-wide structure, the Indian Inspectors Unit is used as an example. The Board of Directors of the IIU are appointed by the Grand Chiefs at the Annual meeting. The six Board Members, representing the four status organizations in Ontario, oversee the operations of the organization. Representation of the Board of Directors includes:

- Association of Iroquois & Allied Indians
- Grand Council Treaty #3
- Nishnawbe-Aski Nation
- Union of Ontario Indians
- Planning & Priorities Committee
- Special Advisor (non-voting)

Each member of the Board of Directors is accountable to the Grand Chief for the Association represented and to the First Nations s/he represents as a Board Member. The Board as a whole is accountable to the Chiefs in Assembly.

4. TRAINING AND CERTIFICATION

CMHC has provided training for RRAP delivery agents for a number of years. In 1984, CMHC developed a series of courses entitled Training in Housing Rehabilitation Skills. The first course, Inspecting Dwellings and Introduction to Specification Writing, was sponsored by CMHC for eight years. In 1993, the course was updated and revised to reflect present technical information practices.

Inspecting Dwellings, the first in the current Residential Rehabilitation Training Courses Series, is intended to provide the knowledge and skills required to identify building problems and deficiencies, determine their causes, and recommend corrective action in the most effective manner. This course was piloted in the summer of 1993

by Humber College (Ontario) to primarily First Nations on-reserve agents, and then by the Northern Alberta Institute of Technology (NAIT) (where the class included 10 First Nation students) as part of the Gabriel Dumont Institute course in housing administration for Metis people. Students taking the course are expected to have a basic knowledge of the various types of wood frame construction and related terminology and have practical experience in residential rehabilitation. Registrants are given a certificate upon successful completion of the one week course and also receive reference material available in English and French.

CMHC also offers a course and software on its Automated RRAP Specification Writing System. In 1993, the course was provided in Saskatoon (19 individuals from 7 Tribal Councils); National Office (2 individuals from Akwesasne I.R.); Hamilton (2 individuals from Six Nations I.R.); and Prince George (5 individuals).

CMHC has also been training First Nations people through its Native Cadre Program since 1974. The program was initially devised for the RNH program, however the scope was expanded in the late 1980s to include urban and on reserve housing programs. Of the approximately 20 trainees now in the program, five are working in on reserve program areas. Funding for next year is uncertain at the present time. Over the period 1974-88, a total of 243 persons participated as trainees, with 64 per cent receiving their training in Ontario or the Prairie provinces.

Inspector Designation

There is no national accreditation process for housing inspectors as presently exists for appraisers and other trades. Some interviewees told us they would like to see accreditation of inspectors because it would give greater confidence to inspectors, home owners, and housing authorities alike. CMHC has an internal process for accrediting staff inspectors.

In certain provinces, the provincial department responsible for housing and the provincial building inspectors association co-sponsor training courses for municipal inspectors.

Although CMHC is not responsible for training inspectors, the corporation assists INAC to designate inspectors to inspect non-NHA housing on reserve. The inspector designation process is generally a matter of a DIAND recommendation and CMHC concurrence and approval. The continuance of designation depends on past performance.

The Inspector designation process generally follows these procedures (as cited from CMHC's Inspector's Procedures Handbook):

- The Director, E&A, in cooperation with the CMHC Technical Services, District Manager, annually establish a compliance inspection plan for all on-reserve housing and mutually agree on inspection options, including the utilization of other than CMHC staff for NHA financed projects and non-NHA financed projects;
- The Director, E&A investigates alternatives to the use of CMHC staff including the individual qualifications of possible candidates for designation as inspectors;
- The Director, E&A provides recommendations along with summary qualifications statements of each proposed candidate. This material includes other relevant data such as proposed departmental arrangements for inspection services with consultants, Indian organizations, or municipalities, etc.;
- The Director, E&A, in cooperation with the CMHC District Manager, conducts exams if necessary;
- The Director, E&A and the CMHC District Manager mutually agree on the designation of individuals.
- The CMHC District Manager provides the Director, E&A with a list of inspectors acceptable to CMHC for designation. A letter of designation for identification purposes is issued to each inspector designated to inspect relative to a specific project and contains any special conditions as appropriate.

Between 1983 and 1986, INAC sent many unscreened candidates through the designation process with the result that many failed. We were told that as many INAC staff failed as well. CMHC created basic standards for screening candidates prior to taking the exam. CMHC is revisiting these standards internally and will soon ask AFN for input.

The designation exam has three parts: a written test, a field or applied knowledge test, and an oral interview. Those inspectors we interviewed said the exam was rigorous. We also learned that the failure rate remains high in at least two provinces (Alberta and Manitoba).

Inspectors may also avail themselves of courses offered on a region-by-region basis jointly sponsored by CMHC, INAC, and First Nations. As an example, at the request of Albert Julian, Technical Services Advisor and an inspector with the Confederacy of Mainland MicMacs, the Atlantic regional CMHC office recently held such a workshop.

The four-day workshop was intended to give participants an overview of the construction process, from excavation to completion. Attended by 25 First Nations band council members, housing officers, foremen, and inspectors, the workshop was designed to cover in detail six or seven of the 24 CMHC builder workshop components (and introduce the rest) and interest participants in further training. INAC (regional) paid for travel expenses, CMHC provided instructors and course material and Albert Julian of the Confederacy of Mainland MicMacs organized all logistics. The workshop employed a small group problem-solving approach to learning and participant feedback was quite favourable.

The Housing Committee of the Atlantic Policy Congress meets quarterly with INAC and CMHC to discuss housing issues and concerns.

Processes for accrediting municipal building inspectors are in place in most provinces. For instance, Nova Scotia offers a training program for municipal building inspectors that is a jointly sponsored project of the Department of Municipal Affairs and the Nova Scotia Building Inspectors Association. The Ontario Ministry of Housing licences these bodies (and similar bodies in several other provinces) to offer this program.

The program includes 10 one-week courses (two of which are offered each year) and covers Nova Scotia's provincial building code -- a revised version of the NBC. Courses are open to anyone (i.e., provincial, fire, CMHC and private inspectors) and draw inspectors from Nova Scotia and neighbouring provinces, about 10% of which are First Nations registrants. Students must achieve a grade of 70% to pass each course. Course fees are \$150 for municipal inspectors and \$175 for all other registrants.

Although building inspectors do not have to be certified to work in Nova Scotia, municipalities may require it when hiring inspectors. To become a certified inspector by the Nova Scotia Building Inspector Association, applicants must successfully complete the training program, have a prescribed level of experience, be registered and be a member of the Association.

5. INTERRELATIONSHIPS

It is clear from our discussions that many parties hold a stake in the effective provision of First Nation inspection services on reserve. Everyone we spoke with stressed the need for quality housing and the important role inspections plays in insuring that quality. These interests include the individual home owner, Bands, Tribal Councils, Regional and National Aboriginal organizations, Government agencies such as Indian Affairs, Health Canada, and CMHC.

Particularly in the areas where Certificates of Possession (CP's) are used for land tenure, the homeowner assumes considerable responsibility for the quality of the home. In most cases we have observed that the quality of construction is tied to the payment schedule. This safeguard ensures that the quality is built into the construction. This check takes many forms, from a statement of completion to having the inspectors approve the contractor's billing. First Nations communities look to inspections as a tool to ensure contractors deliver the promised work and to enable the continued flow of project dollars. Band housing authorities rely upon inspections to identify deficiencies and provide progress reports on the building process.

Delivery agents view inspections as a necessary adjunct to the building of quality housing in First Nations communities, a valued service to those communities. They are concerned with training and quality of service issues and with providing efficient and effective service coverage to their communities. Lenders want to ensure that their investment is sound and that a normal life cycle for the facility will be observed.

Inspectors are the pivot point to ensure that these interests are met. Inspectors view their work as a profession and want to keep abreast of changes and developments in the housing industry. It is also viewed as a challenging career path, bringing job satisfaction, financial remuneration and opportunities for professional development and advancement.

Any comprehensive system of service delivery will need to address these and other interests of each party concerned with the delivery of inspection services. In particular, the working relationships between the different level of Aboriginal organizations need to be clarified and agreed to in order to support the service the inspectors provide.

The overall interests of the development of Indian governments must also be considered. It is important that this service be viewed as a component of a range of services that are directed by the governing bodies within First Nations communities. In this regard, the transition of service from government agencies is not a question of whether this should be done, rather it is a question of building the capacity through training and accreditation within the Aboriginal community and agreeing to the time-frame, financing and process for the transition.

6. EMERGING ISSUES

A number of issues and concerns are emerging from our research which form the framework for topics to be addressed in detail in subsequent reports.

- ◆ need for inspection training, support and networking;
 - to prepare inspectors to, at the very least, pass the designation examination.
 - to develop the profession, share ideas, promote mutual interests.
- ◆ information;
 - bands need to know where they can find qualified inspectors and how to undertake residential construction projects.
- ◆ waste - too many inspectors travelling to same community to inspect different houses;
- ◆ the need for improved coordination of inspection services and administration;
- ◆ resources needed for training & hiring of inspectors, travel, Research and Development, competitive salaries. Many spoke of the desirability of single-source funding for inspections;
- ◆ personnel resources;
 - there is a need for more inspectors (willing to live in remote areas, too)

- ◆ band level training;
 - inspections alone do not guarantee a quality house. Bands need a spectrum of training in how to run housing projects.
- ◆ inspector designation;
- ◆ conflict of interest guidelines; - to protect owner, housing authority
- ◆ CMHC contracting with First Nation inspectors;
 - CMHC should contract with First Nation inspectors to do more of the inspection work on reserve.
 - How to avoid delays as experienced between 1982-1992.
 - How to ensure the adequate supply of inspectors to perform this work.
- ◆ accreditation; - a process for accreditation and requisite training.
- ◆ non-housing inspections; - the ability to do non-housing inspections on reserve
- ◆ jobs; - inspectors want more work opportunities, both on and off reserve;

APPENDIX B

Need for Inspection Services

The following projections and estimates of on reserve housing needs are based on available AFN and INAC data.

Current On Reserve Households and Houses

Number of households (*):	76,000
Number of houses on reserve:	70,000

Current Annual Housing Activity

New Units: 3,200 Renovations: 4,000

Based on estimated average annual construction and renovation activity over past 5 years. (Mr. Corbin, Indian Programming & Funding Allocation Directorate, INAC, estimates half of new construction and renovations involve CMHC funding and inspections)

Current Requirements

New Construction:

New Housing Stock	11,710
Current C31 demand (8-10,000)	10,000
Houses needing replacement	6,700

Total: 28,410

Renovations:

Houses requiring minor renovations	13,900
Houses requiring major renovations	15,700

Total: 29,600

Projected Need To Year 2005 ()**

Estimated households on reserve	114,000
Need for houses	40,000

* The term households includes single parent families, single people and people sharing accommodation (INAC figure).
** Projected need assumes out- and in-migration rates will not change. the figure of 114,000 units includes children leaving home and some returning C31 households (INAC figure).

Costing Models

The following is a framework for possible costing models to estimate the financial resources required to support a comprehensive system of First Nations inspection units. Three different approaches are illustrated. The first model is based on an approach in which each housing unit has a cost attached to it which is provided during the construction of each housing unit. The numbers used are the figures presently being allocated for housing inspections.

The second model is based on the concept that every First Nation would have their own inspector. A basic assumption is made that approximately one half the First Nations would have enough activity to have a full time staff member and the remaining would require part- time services.

The third model is based on the approach that is widely utilized at present, namely the provision of services through Tribal councils. The basic assumption made for this model is that where there is an unaffiliated band, inspection services would be provided through their own inspector. We also assume that the cost would be for a full time staff member.

Purpose of the Models

The purpose of the models is to provide an estimate for the costs associated with operating inspection units. Further development will include a start up portion and the development of support mechanisms for inspection services, i.e., education, training and keeping updated about technical issues in the housing industry.

Interpreting the Models

These models are provided to illustrate the range of options and the associated costs. They are not meant to be definitive, rather, they are provided as a starting point for discussion on the value of providing a comprehensive approach to inspection services.

Contracted Cost Model

Current

Current New Construction:

3,200 new units @ \$800 = \$ 2,560,000/yr

Current Renovations:

4,000 renovations @ 400 = \$ 1,600,000/yr

total: \$ 4,160,000/yr

Future

Required New Construction:

17,000 new units @ \$800 = \$ 22,728,000/yr.

Required Renovations:

21,000 renovations @ \$400 = \$ 11,840,000/yr.

total: \$ 34,568,000/yr

Band Inspector Model

Total Bands: 595

	250 Full Time Inspectors	345 Part Time Inspectors
Salary	30,000	10,000
Benefits	3,000	1,000
Admin. (net)	1,200	500
Telephone	600	500
Travel	2,000	2,000
Training	1,000	1,000
total/inspector:	37,800	14.500
Total:	11,340,000	5,727,500

For 1 full time inspector per First Nation = \$ 22,491,000

Grand Total: \$17,067,500

Tribal Council Model

Cost per Inspector:

Salary	40,000
Benefits	4,000
Admin. (net)	3,000
Telephone	1,200
Travel	5,000
Training	2,000
Total:	\$ 55,200

Staffing Needs

1) Tribal Councils:

1.7 persons for each of 92 Tribal Councils = 161 person years

Annual Cost: 161 person years x \$ 37,800/yr = \$ 8,887,200

2.0 persons for each of 92 Tribal Councils = 184 person years

Annual Cost: 184 person years x \$ 37,800/yr = \$10,156,800

2) Unaffiliated Bands:

1 person for each of 61 Unaffiliated Bands = 61

Annual Cost: 61 x \$ 37,800 = \$ 2,305,800

Grand Total this model: \$ 11,193,000 - \$ 12,462,600

First Nations Housing Inspection Units

Paper #2:

Models & Resources

**The First Nations Housing Task Force
Assembly of First Nations**

**An Assessment of Requirements to Establish First Nations
Building Inspection Units**

**First Nations Management Inc.
Ottawa
February 1994**

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1. INTRODUCTION

The application of building and safety standards to the construction and renovation of housing on reserves is supported by all First Nations. Maintaining standards helps reduce risks to the health, safety and social well being of occupants, help protect the environment, and extend the life expectancy of the housing stock.

Housing inspection units have been set up by First Nations in a number of locations, but are ad hoc due to insufficient funding. First Nations wish to assume more responsibility for providing inspection services for both NHA funded and non-NHA funded construction and rehabilitation activity on reserve.

AFN is proposing that a system of compliance inspection units be set up under the control and direction of First Nations, which could meet all their inspection requirements. An adequately funded, comprehensive system of First Nations housing inspection units would improve planning and efficiency, improve housing quality, create much needed jobs and contribute to the realization of self-determination.

1.1 BACKGROUND AND PURPOSE

The purpose of this study is to determine the financial and human resources necessary to establish a system of First Nations housing inspection units across Canada, and to identify the legal, regulatory and other barriers that must be addressed if the system is to be put in place. First Nations Management Inc. has been contracted to undertake this research assignment.

First Nations Management Inc. is preparing interim progress reports in the form of three topical papers for the Housing Task Force. The papers address the research topics presented in the request for proposals. Drafts of each paper are submitted to the project authority and FNM will make revisions based on its deliberations with the Steering Committee.

Paper #1 - *First Nations Housing Inspection: A Profile* provides an overview of existing First Nations housing inspection units, discusses current systems for housing inspections and the interrelationships of existing compliance inspection units with other First Nations structures.

Paper #2 - *First Nations Housing Inspection Units: Models & Resources* presents ways and means of addressing the concerns and needs raised by inspectors, bands, and inspection units in paper 1, namely the need for improved information and coordination, adequate and appropriate resources, training and certification.

Paper #3 - *First Nations Housing Inspection: Regulatory Issues* will discuss the legal and regulatory barriers to establishing/supporting the First Nation inspection mechanisms proposed in paper #2, including such issues as surety bonding, insurance and liability. The paper recommend ways these barriers can be overcome, and propose a time-frame for achieving the transition.

1.2 OBJECTIVES

The objectives for Phase Two are:

- ▶ to present three administrative options for inspecting building construction and renovation, water and waste disposal installations and electrical systems, for compliance with established codes in effect in First Nation communities.
- ▶ to examine the availability of training courses, and propose a training strategy;
- ▶ to propose a number of options for resourcing inspection services to First Nations communities.

1.3 METHODOLOGY

At the direction of the Housing Task Force, our approach to this assignment respects two fundamental principles:

- 1) that control over housing rests with First Nations communities, and
- 2) that service delivery options must not prejudice any Treaty, Aboriginal or constitutional rights, nor permit provincial jurisdiction over First Nations.

In developing options, we revisited the material Task Force members provided regarding how inspections are presently delivered, and concerns people raised about to what is required to improve overall service delivery to First Nation communities.

From this material we were able to establish a set of building blocks essential to any effective inspection unit, whatever administrative form it might take. We then propose ways and means of addressing requirement issues present at the community, Tribal Council and regional levels.

Assisted by input from inspectors, we prepared a plan for establishing training and certification supports for current inspection services, and propose the development of two national organizations to support inspection work.

Finally, issues requiring further attention are identified at the end of the paper.

1.4 PHASE ONE HIGHLIGHTS

The following observations generally apply to inspection units as they are currently organized:

- ◆ Tribal Councils are the primary source for delivering First Nations inspection services
- ◆ Some individual Bands provide their own inspection services
 - some part-time, some full-time staff
- ◆ CMHC retains NHA inspections
- ◆ Utilities provide inspections for electrical work
- ◆ Health Canada generally provides inspections for sewage and some environmental work
- ◆ Provincial Ministries generally provide inspections for environmental/site work
- ◆ Resources available for RRAP inspections are inconsistent in different parts of the country
- ◆ Advisory work is not formalized

2.0 INSPECTION UNIT OPTIONS

Throughout most regions of Canada, First Nations housing inspectors are organized under the auspices of individual First Nation communities, Tribal Councils or Associations and larger delivery units. Depending on size and financial capacity, individual Bands may have a full-time or part-time position designated within their administration for inspections. For example, in Manitoba there are two inspectors per Tribal Council administration and one inspector each for three large, independent Bands. Individual Bands also contract with private companies or freelance inspectors to undertake housing inspections.

Respecting the right of individual First Nations to decide how inspection services are to be delivered to their communities, we will examine what is required to extend the availability of current delivery approaches (henceforth referred to as 'inspection unit options') to all First Nation communities.

2.1 THREE INSPECTION SERVICE DELIVERY OPTIONS

The following are the key features of the three service delivery options, namely: First Nations community, tribal council and regional inspection units:

I. FIRST NATIONS COMMUNITY

- ▶ sets and enforces own building standards
- ▶ has authority over own housing program & administration
- ▶ sets own service priorities
- ▶ hires inspector or contracts out inspection service
- ▶ builds resident knowledge/skill capacity

II. TRIBAL COUNCILS

- ▶ provides inspection services to member bands
- ▶ are accountable to communities
- ▶ has expertise in related areas: engineering, social services, program management
- ▶ enjoys economy of scale savings
- ▶ communities benefit from knowledge and skills

III. REGIONAL UNITS

- ▶ provides inspection services to member bands
- ▶ are accountable to communities
- ▶ has expertise in related areas: engineering, social services, program management
- ▶ enjoys economy of scale savings
- ▶ communities benefit from knowledge and skills
- ▶ direct involvement with many communities
- ▶ ability to secure agreements on a wide (provincial) basis

2.2 CURRENT INSPECTION UNIT OBJECTIVES AND SCOPE OF SERVICE

First Nation inspection units share similar service objectives based on the needs of First Nations communities. They are:

- ▶ to protect the health, safety and social well being of First Nations citizens;
- ▶ to ensure the quality of construction and renovation;
- ▶ to extend the life expectancy of on reserve housing stock;
- ▶ to provide First Nations with information and services necessary for the maintenance of quality housing in their communities;
- ▶ to provide employment for First Nations citizens;

The term "inspection unit" is in many ways a misnomer, in that, on average, approximately fifty per cent of the services inspection units deliver are advisory in nature. Inspectors repeatedly emphasize the importance of this aspect of their work in meeting the need for housing expertise and skill at the community level.

Inspection units generally provide the following services:

INSPECTIONS SERVICES

- ▶ New construction compliance inspections
- ▶ RRAP and other renovations inspections
- ▶ Plumbing, water/sewer inspections and maintenance
- ▶ Fire, safety, and code compliance inspections
- ▶ Maintenance inspections
- ▶ Vandalism and fire damage inspections

ADVISORY SERVICES

- ▶ Engineering advisory services
- ▶ Building advisory services
- ▶ Health capital assets management
- ▶ Computer-aided drafting
- ▶ Database information systems
- ▶ Training
- ▶ New construction standards (energy efficient construction)
- ▶ Electrical
- ▶ Fire prevention advice
- ▶ Inspecting materials shipped
- ▶ Environment information - for construction, renovation, or use by contractors
- ▶ Plan evaluations
- ▶ Completing forms and other administrative tasks
- ▶ Home care advice

2.3 SERVICE DELIVERY NEEDS

During phase one of our research, inspectors, funders and First Nation community representatives expressed some ideas about what in their view is required to bolster the current inspection options available to First Nations communities.

Bands told us they need:

- ▶ information about where they can locate qualified First Nation inspectors;
- ▶ more inspectors willing to live in remote areas;
- ▶ training in the administration of housing projects;
- ▶ a more streamlined (perhaps single source) approach to funding inspections;
- ▶ to eliminate the waste of too many inspectors travelling to their communities to inspect the same houses;
- ▶ improved coordination and administration of inspection services;
- ▶ First Nation inspectors able to provide a full range of inspection services (i.e.: inspect construction, renovation, electrical, water and housing advisory services)

Tribal Council housing inspection units told us they need:

- ▶ adequate resources to provide inspection services to reserve communities;
- ▶ adequate resources for training & hiring of inspectors, travel, research and development, and to provide competitive salaries and benefits;
- ▶ recognition by CMHC to provide inspection services for NHA housing;

Regional housing inspection units told us they require:

- ▶ adequate resources to provide inspection services to reserve communities;
- ▶ adequate resources for training & hiring of inspectors, travel, research and development, and to provide competitive salaries and benefits;
- ▶ recognition by CMHC to provide inspection services for NHA housing;

First Nation inspectors require a number of support functions, namely:

- ▶ training and education opportunities;
- ▶ a certification process to recognize their expertise and knowledge;
- ▶ opportunities to network and share information;
- ▶ employment opportunities both on and off reserve;
- ▶ the ability to do non-housing inspections on reserve, i.e: for water and waste disposal installations and electrical systems.

2.4 PRINCIPLES OF SERVICE DELIVERY

To determine the level of resources required to ensure the three service options can meet First Nation demand, we have developed a basic set of standards which, based on comments received in phase one, reflect the needs at the community level. Service standards help set a target for inspection units and funders alike, and are a barometer of service quality.

ACCESSIBILITY

- ▶ services must be affordable;
- ▶ communities should know where and how to access service;
- ▶ services should be delivered in the appropriate language;
- ▶ services should be available when and where required;

ADEQUATE SUPPLY OF INSPECTORS

- ▶ a sufficient number of qualified inspectors should be available to First Nations communities;
- ▶ such a system should support the development of (and in some instances provide) inspector training and certification;
- ▶ support the provision of competitive employment conditions (salaries, benefits, support services);

AFFORDABILITY

- ▶ adequate resources, to purchase services when and as required, should be available;
- ▶ funding should flow in an efficient and effective manner;

STANDARDS

- ▶ services should meet minimum standards of quality;
- ▶ inspections apply adequate codes and standards;

QUALITY CONTROL

- ▶ services are subject to regular quality control inspections;
- ▶ mechanisms exist for redressing situations where services are inadequate;
- ▶ an inspector certification process;
- ▶ communities have trained housing personnel;
- ▶ communities are aware of rights and informed about service options and remedies;

OFF RESERVE COMPATIBILITY

- ▶ inspector training that is compatible with requirements for off reserve employment;

SUPPORT MECHANISMS

- ▶ mechanisms for setting standards for industry;
- ▶ mechanism for membership certification;
- ▶ opportunities for professional development (training, input into matters affecting the profession, networking);
- ▶ effective communications between all parties (communities, funders, inspection services);

3.0 RESOURCE REQUIREMENTS

In order to enable First Nations communities to have a choice of options for the provision of housing inspection services, it is necessary to determine the financial and human resources required to ensure that each option is functional.

For the provision of an inspection service, there are some fundamental items that must be examined and considered. These are:

1. A demand for the service
2. Authority to deliver the service
3. Administrative capacity
4. Financial resources
5. Access to trained inspectors

In this section, the three options are discussed in relation to these fundamental requirements.

3.1 ON RESERVE DEMAND FOR INSPECTION SERVICES

Inspection services are demand driven. The demand for inspection services is determined by the level of residential construction, residential maintenance, upgrading and retrofitting and community infrastructure activity taking place in First Nation communities.

A backlog of approximately 11,710 new units, 6600 additional units to replace unfit units, and 11,000 major and minor renovations and electrical and plumbing work is required to meet the current needs of First Nations citizens. An additional backlog of 10,000 new units now exists as a result of reinstatement under Bill C-31.

Prior to 1983, when Section 9 of the National Building Code came into effect on reserves, the lack of standards for residential construction in First Nation communities resulted in the construction of many homes of substandard quality. In addition to the significant activity required to maintain and repair these and post-1983 homes, retrofitting as a result of the installation of water and sewer systems, and the installation of these systems themselves, contributes to the demand for inspections in First Nation communities.

3.2 AUTHORITY

Inspections alone do not create quality housing on reserves. To be effective, First Nation communities must have the authority to establish, apply, monitor and enforce building and health and safety standards for housing on reserve. Bands do not presently possess the authority necessary to implement effective inspection services in their communities.

The following issues relate to Band authority and will be addressed in paper #3:

- ▶ the setting of standards
- ▶ enforcement of standards
- ▶ conflict of interest
- ▶ legislative barriers (Indian Act)
- ▶ policy barriers (CMHC policy)
- ▶ accreditation and recognition of First Nation inspectors

3.3 ADMINISTRATIVE CAPACITY

First Nations housing authorities, Tribal Councils and Regional Inspection Units must have the capacity to effectively administer inspections and inspection services.

In this section, we describe the key administrative decisions which must be made, and list the resources required to establish an adequate administrative capacity for each option.

In undertaking residential inspections, First Nations administrations must determine if they wish to use their own housing staff for this purpose, or enlist the services of an outside party, be it through a tribal council, larger regional body specializing in inspection services (i.e., the IIU in Ontario) or by purchasing the services of a private inspector. Some inspections in some regions are done by CMHC and other agencies either because there is no designated First Nation inspector available, or because of the policies or the practices of such agencies to set conditions for undertaking certain inspections on reserve. For electrical or water inspection services, communities usually obtain services from the power and water authorities in their area. Environmental inspections are undertaken by either Health Canada or the provincial environmental ministry.

OPTION 1: FIRST NATION COMMUNITY INSPECTION UNIT

Inspection services at the community level flow out of a fundamental issue, which is: Houses need to be inspected for reasons of health and safety, preserving housing stock and maintaining the flow of housing dollars for construction, renovation and infrastructure project activity.

In general, First Nations communities require the following inspection services for residential construction and renovation: compliance inspections; scope of work, or progress inspections; electrical inspections; water inspections; and environmental inspections.

► **Determining current and future demand for residential inspections.**

The community needs to determine the current type and number (electrical, plumbing, site, water and waste disposal) of inspections required for new construction, renovations, retrofitting, infrastructure work, and what future demand is likely to be.

► **Determining whether to conduct own inspections or use off-reserve service, or both.**

If the community decides to do its own inspections, a number of issues need to be addressed:

- ▶ Does community desire an arms length relationship?
- ▶ How will community enforce inspection recommendations?
What are the liability consequences?
- ▶ What considerations re: reducing conflict of interest
- ▶ Availability of inspectors in community
- ▶ Is there a capacity to undertake inspections
- ▶ If yes, are they available to provide inspection services;
are they recognized by funding authorities?
- ▶ If no, are there candidates willing to be trained?
where is training available?
What are the requirements?
How will training costs be covered?

Communities have a choice of providing inspection services. These choices presently are Tribal Councils; Regional inspection units; Government agencies/crown corporations; or a private market company or individual. In choosing inspectors, the community must assess government regulations and requirements in effect, cost implications and compare services.

▶ **Finding training for inspector candidates**

Communities need to know where to get training, what kind of training is required, who pays and how much.

OPTION 2: TRIBAL COUNCIL INSPECTION UNIT

Most communities arrange inspection services through their Tribal Council. Tribal Councils have technical expertise available through their technical services or housing divisions. By servicing several communities, Tribal Councils develop a cumulative knowledge and skill base, which in turn enhances the scope and quality of service to individual communities. Tribal Councils usually do not charge member communities for inspection services.

► **Deciding whether or not to provide inspection services**

Tribal Councils need to consider whether or not providing inspection services is within its mandate and objectives; how much member bands support the initiative, what the demand for inspections is now and in the future. Assuming sufficient demand and support, the Tribal Council must assess its own capacity to deliver inspection services, and how it will augment this capacity if necessary. A business plan is developed and the necessary resources secured to initiate the service. Issues of liability, administrative considerations and effect on other Tribal Council programs and services are ongoing issues which need to be addressed.

► **Deciding how to meet demand**

This involves looking at possible service delivery options (ie to hire or contract with inspectors), what kinds of services to provide and the scope of work they expect the inspectors to fulfil.

► **Hiring inspectors**

Tribal Councils must then find the financial resources to support either a full- and/or part-time inspector(s). They must then go through a selection process to hire fully qualified inspectors.

► **Administrative supports**

Having the necessary management systems and supports in place to ensure competitive salary and benefits, opportunities for ongoing professional development is vital. Providing the administrative infrastructure is also required.

► **Marketing the service to Bands**

The service must then be marketed to member bands. the Tribal Council must decide whether to charge a recovery fee or cover the costs through other means.

► **Evaluation of service**

Monitoring the service and making necessary adjustments in a timely and effective manner helps ensure service quality and member satisfaction. To do this effectively, the Tribal Council should develop a set of service standards and establish an evaluation framework prior to delivering any services.

OPTION 3: REGIONAL INSPECTION UNIT

The requirements for regional inspection units are similar to those of the tribal council delivery option. Developing administrative systems to provide adequate service over a larger service area, and maintaining a supply of trained inspectors willing to travel is a prime consideration under this option.

► **Assessing First Nation demand**

The Inspection unit needs to determine the current number and type (electrical, plumbing, site, water and waste disposal) of inspections required for new construction, renovations, retrofitting, infrastructure work, and future demand in these areas.

► **Deciding how to meet demand**

This involves looking at possible service delivery options (ie to hire or contract with inspectors), what kinds of services to provide (and to what level).

A business plan is developed and the necessary resources secured to initiate the service. Issues of liability, administrative considerations and effect on other Tribal Council programs and services need to be addressed.

► **Hiring inspectors**

The inspection unit must then find the financial resources to support either a full-and/or part-time inspector(s). They must then go through a selection process to hire fully qualified inspectors.

► **Administrative supports**

Having the necessary management systems and supports in place to ensure competitive salary and benefits, opportunities for ongoing professional development is vital.

► **Marketing the service to Bands**

The service must then be marketed to member bands. The Regional Unit must decide whether to charge a recovery fee or cover the costs through other means.

► **Evaluation of service**

Monitoring the service and making necessary adjustments in a timely and effective manner helps ensure service quality and member satisfaction. To do this effectively, the Regional Unit should develop a set of service standards and establish an evaluation framework prior to delivering any services.

3.4 ESTIMATES OF RESOURCE REQUIREMENTS

To determine what resources are required to implement the service options, we devised a set of cost estimates and fee structures using a standard set of line items and costing formulas. We then identified ways and means of resourcing the options and the extent to which existing sources of funding can be tapped to sustain operation of the proposed inspection units.

Having articulated the three options and identified requirement issues for each, it is possible to construct costing models for estimating the financial and personnel requirements for each administrative option.

We have developed cost estimates for:

- Meeting current inspection requirements
- Supporting a typical inspection unit
- Servicing backlog inspection requirements
- Providing full inspection services (current backlog)
- Providing full inspection services (backlog requirements)

Estimates are based on:

- ▶ undertaking basic inspections of new construction and renovations (major and minor)
- ▶ time required to undertake inspections
- ▶ provision of advisory services added
- ▶ provision of other inspections added
- ▶ 2 cost models:
 - ▶ purchase of service
 - ▶ direct hiring

3.4.1 COSTING MODELS

On the next five pages, we illustrate the costs of providing inspection services through two methods. The first is by contracting out or hiring an inspection service; the second method illustrates the cost to hire people on staff.

The cost models have been designed to work at a number of levels, depending on the numbers of units proposed.

The hours to inspect a new unit are taken from CMHC information based on 6 inspections per unit @ 1.5 hours per inspection plus the same administrative time for completion and filing of reports. Major and minor renovation times are estimates for budgeting purposes.

The work hours per year is calculated using the formula of 7.5 hours per day X 5 days per week X 50 weeks per year. The numbers of persons required is calculated by the total number of inspection hours required divided by the number of inspection hours per person per year.

The comparative cost of providing services uses the same number of hours required to complete the inspections.

The second chart shows the numbers of units required to address the backlog in both new construction, major and minor renovations. If this backlog were addressed over an extended period of time, the total numbers of units would be divided by the time frame. For example, if the total backlog were to be addressed in three years, the numbers of units would be divided by three. This model would determine the number of people required to undertake inspections.

Chart #3 adds a further level of advisory services and addresses the total cost of inspections required to complete a residential unit. The percentage allocated is a function of the total time to inspect the total number of units being constructed.

Chart # 4 is similar with the total numbers of units representing those required to address the backlog.

Chart #5 illustrates an application of this cost model at a local level. This number of units may be delivered through any of the three options discussed earlier. The cost of purchasing the service in all cases is based on a hypothetical figure that a contractor may use. Professional engineers performing this function would cost at least two times the cost used in this model.

3.5 ACCESS TO TRAINED AND ACCREDITED INSPECTORS

First Nations communities need trained and qualified inspectors. Developing an adequate pool of First Nation inspectors for employment on reserves, with inspection units and in the private and public sector is considered a priority. Ensuring that adequate resources and incentives are in place to support and maintain the pool of inspectors is a further concern.

Inspectors and service providers unanimously agree there is a present shortage of training and opportunities for accrediting First Nation residential inspectors. Should the federal government commit itself to addressing the current housing backlog and increase its housing allocations to match community need, the demand for inspection services and training would likewise increase with the overall financial resources.

Assisted by input from First Nation inspectors, we have prepared a plan for establishing training and certification supports for current inspection services.

COST ESTIMATES OF CURRENT INSPECTION REQUIREMENTS

						NUMBERS OF PEOPLE REQ'D
TYPE OF INSPECTION	#HRS/UNIT	#UNITS	HOURS	HRS/YR	People req'd	
COMPLIANCE	19	2400	45600	1875	24.32	103.25
MAJOR RENOVATION	12	7000	84000	1875	44.80	
MINOR RENOVATIONS	8	8000	64000	1875	34.13	
TOTAL HOURS			193600			
ADVISORY SERVICES			96800	1875	51.63	154.88
Based on 50% of work						
TOTAL						
COST OPTION 1						COST
Purchase service					Rate	
Total # of hours x set						
rate of \$45 per hour			290400		45	
Travel Allowance						\$13,068,000.00
						\$2,000,000.00
						\$15,068,000.00
COST OPTION 2						
Hire people on staff						
. Salary	\$40,000.00					
. Benefits	\$4,000.00					
. Administration	\$2,000.00					
. Training	\$2,000.00					
. Travel	\$5,000.00					
TOTAL	\$53,000.00		154.88	people		\$8,208,640.00

COST ESTIMATE OF SERVICING BACKLOG INSPECTION REQUIREMENTS

						TOTAL NUMBERS OF PEOPLE REQ'D
TYPE OF INSPECTION	#HRS/UNITS	#UNITS	HOURS	Wk/hrs/yr	People req'd	
COMPLIANCE	19	28410	539790	1875	287.89	447.67
MAJOR RENOVATION	12	15700	188400	1875	100.48	
MINOR RENOVATIONS	8	13900	111200	1875	59.31	
TOTAL HOURS			839390			
ADVISORY SERVICES			419695	1875	223.84	671.51
Based on 50% of work						
TOTAL						
COST OPTION 1						COST
Purchase service					Rate	
Total # of hours x set						
rate of \$45 per hour			1259085		45	
Travel Allowance						
						\$56,858,825.00
						\$5,000,000.00
						\$61,858,825.00
COST OPTION 2						
Hire people on staff						
. salary	\$45,000.00					
. Benefits	\$4,000.00					
. Administration	\$2,000.00					
. Training	\$2,000.00					
. Travel	\$5,000.00					
TOTAL	\$58,000.00		671.51	people		
						\$38,947,696.00

COST ESTIMATE FOR FULL INSPECTION SERVICES - CURRENT REQUIREMENTS

TYPE OF INSPECTION	#HRS/UNIT	#UNITS	HOURS	HRS/YR		NUMBERS OF PEOPLE REQ'D
COMPLIANCE	19	2400	45600	1875	24.32	
MAJOR RENOVATION	12	7000	84000	1875	44.80	
MINOR RENOVATIONS	8	8000	64000	1875	34.13	
TOTAL HOURS			193600			103.25
ADVISORY SERVICES			96800	1875	51.63	
Based on 50% of work						
TOTAL						154.88
Maintenance @10%			19360			
Materials @5%			9680			
Environmental @20%			38720			
Water/Sewer/Plumbing @25%			48400			
Fire Prevention @20%			38720			
Electrical @10%			19360			
			174240	1875	92.93	247.81
COST OPTION 1						
Purchase service					Rate	COST
Total # of hours x set rate						
rate of \$45 per hour			464640		45	\$20,908,800.00
Travel Allowance						\$5,000,000.00
						\$25,908,800.00
COST OPTION 2						
Hire people on staff						
. salary	\$40,000.00					
. Benefits	\$4,000.00					
. Administration	\$2,000.00					
. Training	\$2,000.00					
. Travel	\$3,000.00					
TOTAL	\$51,000.00		247.808			\$12,638,208.00

COST ESTIMATE FOR FULL INSPECTION SERVICES - BACKLOG REQUIREMENTS

TYPE OF INSPECTION	#HRS/UNIT	#UNITS	HOURS	HRS/YR		NUMBERS OF PEOPLE REQ'D
COMPLIANCE	19	28410	539790	1875	287.89	
MAJOR RENOVATION	12	15700	188400	1875	100.48	
MINOR RENOVATIONS	8	13900	111200	1875	59.31	
TOTAL HOURS			839390			447.67
ADVISORY SERVICES			419695	1875	223.84	
Based on 50% of work						
TOTAL						671.512
Maintenance @10%			83939			
Materials @5%			41970			
Environmental @20%			167878			
Water/Sewer/Plumbing @25%			209848			
Fire Prevention @20%			167878			
Electrical @10%			83939			
			755451	1875	402.91	
						1074.42
COST OPTION 1						
Purchase service					Rate	COST
Total # of hours x set rate						
rate of \$45 per hour			2014536		45	\$90,654,120.00
Travel Allowance						\$5,000,000.00
						\$95,654,120.00
COST OPTION 2						
Hire people on staff						
. salary	\$40,000.00					
. Benefits	\$4,000.00					
. Administration	\$2,000.00					
. Training	\$2,000.00					
. Travel	\$3,000.00					
TOTAL	\$51,000.00		1074.419			\$54,795,379.20

COST ESTIMATES FOR A TYPICAL INSPECTION UNIT

TYPE OF INSPECTION	#HRS/UNIT	#UNITS	HOURS	HRS/YR	People req'd	NUMBERS OF PEOPLE REQ'D
COMPLIANCE	19	25	475	1875	0.25	
MAJOR RENOVATION	12	200	2400	1875	1.28	
MINOR RENOVATIONS	8	300	2400	1875	1.28	
TOTAL HOURS			5275			2.81
ADVISORY SERVICES			2638	1875	1.41	
Based on 50% of work						
TOTAL						4.22
COST OPTION 1						
Purchase service					Rate	COST
Total # of hours x set						
rate of \$45 per hour			7912.5		45	\$356,062.50
Travel Allowance						\$5,000.00
						\$361,062.50
COST OPTION 2						
Hire people on staff						
. Salary	\$50,000.00					
. Benefits	\$5,000.00					
. Administration	\$2,000.00					
. Training	\$2,000.00					
. Travel	\$5,000.00					
TOTAL	\$64,000.00		4.22 people			\$270,080.00

3.5.1 CURRENT APPROACHES AND INITIATIVES

TRAINING

A growing number of post secondary educational and career related training programmes, designed specifically for First Nations, cover such topics as management studies, band administration, public administration, community health, Native studies, business development, social work, and various trades courses and programs.

However, there is currently no nationally recognized training specifically designed to produce housing inspectors in Canada. Training opportunities exist to a limited extent for specific housing inspection applications, as with CMHC's training of agents to inspect RRAP work on reserves.

While training courses for First Nations housing inspectors are being developed and delivered in some regions, jointly sponsored by CMHC, INAC, and First Nations, they are inadequately resourced and lack any ongoing funding base.

Processes for training and accrediting municipal building inspectors are in place in most provinces. For instance, Nova Scotia offers a training program for municipal building inspectors that is a jointly sponsored project of the Department of Municipal Affairs and the Nova Scotia Building Inspectors Association. The Ontario Ministry of Housing licences these bodies (and similar bodies in several other provinces) to offer this program. The program includes 10 one-week courses (two of which are offered each year) and covers Nova Scotia's provincial building code -- a revised version of the NBC. Courses are open to anyone (i.e., provincial, fire, CMHC and private inspectors) and draw inspectors from Nova Scotia and neighbouring provinces,

about 10% of which are First Nations registrants. Students must achieve a grade of 70% to pass each course. Course fees are \$150 for municipal inspectors and \$175 for all other registrants.

Inspector courses and certification processes are in development stages in Saskatchewan, Manitoba, Ontario and the Atlantic region.

CERTIFICATION

There is currently no national program or process for certifying housing inspectors in Canada.

INAC, with the assistance of CMHC, designate First Nation inspectors to do residential inspections on reserve. This designation is for the purpose of establishing a standardized set of skills and knowledge qualifying an individual to inspect non-NHA housing on reserve.

Inspection certification processes typically require the successful completion of a training program, possession of a prescribed level of experience, and registration with a recognized association.

First Nation inspection units can now supply inspectors to provide compliance inspections, scope of work inspections and housing program advisory services on reserve. Electrical inspections are delivered by provincial power authorities and water/plumbing inspections are provided by either Health Canada or provincial authorities. Environmental inspections are available through Health Canada.

The CMHC role in inspection service has lessened over the past decade due in part to an increase in the availability of both municipal and private sector inspection services. We understand that CMHC's staff complement for inspectors has been down-sized considerably in recent years.

Monitoring inspections and percentage complete assessments undertaken for NHA financed construction on reserve are completed by CMHC staff. CMHC delivers inspection services for NHA housing through staff inspectors or by contracting out the service to delivery agents on a fee-for-service basis. CMHC now contracts out RRAP inspections to First Nations delivery agents in several, but not all provinces. However, CMHC still inspects most section 95 NHA housing.

3.5.2 OPTIONS FOR TRAINING AND ACCREDITATION

First Nation inspectors told us there is a need for national coordination of inspector training. The following ideas for supporting inspector training arose from our discussions with inspectors:

- ▶ develop a national training and certification program for First Nation inspectors
- ▶ a feasibility study re: Models for First Nation Inspector Training Program
- ▶ lobby for funding for inspection training
- ▶ coordinate provision of inspector training
- ▶ information clearinghouse for training providers
- ▶ support networking (annual training conference)
- ▶ sponsor pilot training programs
- ▶ promote inspector training to First Nations communities
- ▶ publish 'how to' manuals on subjects related to delivering inspection services (business planning, training, marketing service, evaluation, etc)
- ▶ publish newsletter linking inspector training programs with inspection units and communities

3.5.3 FIRST NATIONS INSPECTION TRAINING & ACCREDITATION PROGRAM

We have developed a preliminary plan for developing a national First Nations inspection training and accreditation program for discussion purposes by the Housing Task Force. The following are the key features of such a plan:

PRINCIPLES

- ▶ Aboriginal values
- ▶ community-based control and operation
- ▶ relevance to the needs of communities
- ▶ leads to certification
- ▶ developed and delivered by Aboriginal organizations

A THREE LEVEL PROGRAM

- Level 3 ▶ Compliance and Scope of Work Inspector
 - A) compliance inspections
 - B) advisory services and compliance
- Level 2 ▶ Residential Electrical Inspector
- Level 1 ▶ Residential Plumbing Inspector

PROGRAM DESIGN

- ▶ a community-led initiative, responsive to the requirements of Aboriginal communities for skilled inspectors, designed around local needs.
- ▶ a competency-based approach with job site and classroom learning settings.
- ▶ Supervision by qualified, community selected inspectors

STRUCTURE

- ▶ To ensure both community control and quality control.
- ▶ Delivered by and through First Nations organizations
- ▶ Nationally co-ordinated, Regionally delivered and supervised.

CONTENT

- ▶ In class instruction at colleges during winter months
- ▶ On-the-job training during construction season
- ▶ Supervised/evaluated by inspectors selected by First Nations
- ▶ Examination
- ▶ Certification

ELIGIBILITY & RECRUITMENT

- ▶ Grade 10
- ▶ Interest in building and inspection trade
- ▶ Experience in construction, electrical, plumbing, housing program
- ▶ Rigorous recruitment from First Nation communities
- ▶ Supports to help trainees overcome obstacles to successful completion

ACCREDITATION, RECOGNITION & TRANSFERABILITY

The program should provide certification recognized by, and transferable to, other training and government bodies.

EVALUATION

Regular program evaluation by local communities, instructors, supervisors, funding agents, inspection units, and Chiefs.

FOR FURTHER STUDY

- ▶ Accreditation and Recognition
- ▶ Training Delivery Infrastructure
- ▶ Procurement and Hiring Practices
- ▶ Funding
- ▶ Communications
- ▶ Curriculum

4.0 A NATIONAL ROLE

There is a role to be played by national First Nation institutions in supporting the development and maintenance of a comprehensive system of inspection units. We propose the development of a national First Nations Housing Institute and a First Nations Inspectors Association.

4.1 NATIONAL FIRST NATIONS HOUSING INSTITUTE

To be a focal point for the collection and sharing of information, standards and training by and for First Nations communities, Tribal Councils and inspection units.

Functions

- ▶ a clearinghouse for information on housing issues
- ▶ develop a national housing training program

- ▶ develop national listing of First Nation inspectors, contractors, training, standards, and programs
- ▶ obtain agreement with builders associations for recognition of a national certification program
- ▶ obtain agreements with regulatory bodies
- ▶ address financing issues
- ▶ develop ongoing recommendations for improving the quality of houses on Indian lands

4.2 A NATIONAL ASSOCIATION OF FIRST NATION INSPECTORS

To give recognition and a much needed voice to First Nations inspectors across the country, there is support for a national association of First Nation inspectors.

Functions

- ▶ to advocate on behalf of First Nations inspectors
- ▶ to develop industry standards for inspection services
- ▶ to develop a national training and certification program
- ▶ to provide opportunities for inspectors to network

First Nations Housing Inspection Units

Paper #3:

Regulatory Requirements

**The First Nations Housing Task Force
Assembly of First Nations**

**An Assessment of Requirements to Establish First Nations
Building Inspection Units**

**First Nations Management Inc.
Ottawa
March 1994**

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1. INTRODUCTION

The application of building and safety standards to the construction and renovation of housing on Indian reserves is generally supported by all First Nations. First Nations governments have continually expressed concern with not only the quality but safety of their housing stock. The development and maintenance of standards helps reduce risks to the health, safety and social well being of occupants, protect the environment, and extend the life expectancy of the housing stock.

Housing inspection units have been set up by First Nations in a number of locations, but are ad hoc due to insufficient and unstable funding source. First Nations have stated that they wish to assume more responsibility for providing inspection services for both NHA funded and non-NHA funded construction and rehabilitation activity on reserve.

The Assembly of First Nations (AFN) is proposing that a system of compliance inspection units be set up under the control and direction of First Nations, which could meet all their inspection requirements. An adequately funded, comprehensive system of First Nations housing inspection units would improve planning and efficiency, improve housing quality, create much needed jobs and contribute to the realization of self-determination.

1.1 BACKGROUND AND PURPOSE

The purpose of this study is to determine the financial and human resources necessary to establish a system of First Nations housing inspection units across Canada, and to identify the legal, regulatory and other barriers that must be addressed if the system is to be put in place. First Nations Management Inc. has been contracted to undertake this research assignment.

First Nations Management Inc. prepared interim progress reports in the form of three topical papers for the Housing Task Force. The papers address the research topics presented in the request for proposals:

Paper #1 - First Nations Housing Inspection: A Profile provides an overview of existing First Nations housing inspection units, discusses current systems for housing inspections and the interrelationships of existing compliance inspection units with other First Nations structures.

Paper #2 - First Nations Housing Inspection Units: Models & Resources presents ways and means of addressing the concerns and needs raised by inspectors, Bands, and inspection units in paper 1, namely the need for improved information and coordination, adequate and appropriate resources, training and certification.

Paper #3 - First Nations Housing Inspection: Regulatory Issues discusses the legal and regulatory barriers to establishing/supporting the First Nation inspection mechanisms proposed in paper #2. The paper recommends ways these barriers can be overcome, and proposes priorities that need to be addressed.

1.2 OBJECTIVES

The objectives for Phase Three are twofold:

- 1) to discuss administrative, regulatory and legislative requirements of establishing the options presented in paper #2, namely:
 - ▶ three service delivery options: Local, Tribal Council and Provincial inspection units;
 - ▶ the establishment of a national:
 - * training and accreditation program for First Nation inspectors;
 - * First Nations Housing Institute;
 - * association of First Nation inspectors;
- 2) to recommend strategies and timeframes for overcoming these barriers.

1.3 METHODOLOGY

At the direction of the First Nations Housing Task Force, our approach to this assignment respects two fundamental principles:

- ▶ that control over housing rests with First Nations communities, and
- ▶ that delivery options must not prejudice any Treaty, Aboriginal or constitutional rights, nor permit provincial jurisdiction over First Nations.

In identifying barriers, we revisited the material Task Force members provided regarding how inspections are presently delivered, the options proposed in paper #2, research into other major papers on the issue of housing, and discussions with Aboriginal housing inspectors. From this material we present the barriers which impede the creation and administration of effective inspection units. Further, we make recommendations as to how to effectively address these barriers.

We also prepared a timeframe for establishing the necessary regulatory requirements to support the development of each delivery option, the training and certification program and the proposed national organizations.

1.4 PHASE ONE & TWO HIGHLIGHTS

Profile of Current Situation

The following observations generally apply to inspection units as they are currently organized:

- ▶ Tribal Councils are the primary organizations for delivering First Nations inspection services
- ▶ Some individual Bands provide their own inspection services (some part-time, some full-time staff)
- ▶ In Ontario, the Indian Inspection Unit provides inspection services to a number of First Nation communities throughout the province.

- ▶ CMHC retains NHA inspections
- ▶ Utility companies provide inspections for electrical work
- ▶ Health Canada generally provides inspection services for sewage and some environmental work
- ▶ Provincial ministries generally provide inspections for environmental/site work
- ▶ Resources available for RRAP inspections are not consistent in different parts of the country
- ▶ Advisory work accounts for a significant proportion of inspection work, but is not formalized
- ▶ First Nations communities require trained and qualified inspectors.

Delivery Options

- ◆ Based on our discussions with inspectors, we identified and described three inspection delivery options, namely at the:
 - 1) First Nations community level,
 - 2) Tribal Council level, and
 - 3) Regional inspection units.
- ◆ Inspectors emphasize the importance of the advisory services aspect of their work in meeting the need for housing expertise and skill at the community level.

First Nations Authority to Govern Inspections

- ◆ To be effective, First Nation communities must have the authority to establish, apply, monitor and enforce building and health and safety standards for housing on reserve.

Lack of Resources

- ◆ First Nations do not presently possess the resources necessary to implement effective inspection services in their communities.

Training and Accreditation

- ◆ Developing an adequate pool of First Nation inspectors for employment on reserves, with inspection units and in the private and public sector is a priority need.
- ◆ Inspectors and service providers unanimously agree there is a present shortage of training and opportunities for accrediting First Nation residential inspectors.
- ◆ There is currently no nationally recognized training specifically designed to produce housing inspectors in Canada. Training opportunities exist to a limited extent for specific housing inspection applications, as with CMHC's training of agents to inspect RRAP work on reserves. Nor does any national program or process for certifying housing inspectors exist in Canada.
- ◆ While training courses for First Nations housing inspectors are being developed and delivered in some regions jointly sponsored by CMHC, INAC, and First Nations, they are inadequately resourced and lack any ongoing funding base.
- ◆ Processes for training and accrediting municipal building inspectors are in place in most provinces.

A National Role(s)

- ◆ There is a need for a national First Nations inspection training and accreditation program with the following features:
 - Aboriginal values
 - community-based control and operation
 - relevance to the needs of communities
 - leads to certification
 - developed and delivered by Aboriginal organizations

- ◆ There is a role to be played by national First Nation institutions in supporting the development and maintenance of a comprehensive system of inspection units. Two key roles are:
 - ▶ a National First Nations Housing Institute
 - ▶ a First Nations Inspectors Association.

2.0 Regulatory Requirements

Housing inspections alone do not create quality housing on reserves. To be effective, First Nation communities must have the authority to establish, apply, monitor and enforce building and health and safety policies and standards for housing on reserve. More importantly, First Nations must have access to adequate resources to finance the operation of a housing program, including inspection services. First Nations do not presently possess the financial resources necessary to implement effective inspection services in their communities.

2.1 Building Codes Applicable On Reserves

In 1983, the National Building Code (NBC), part 9 (Residential), was imposed as the minimum standard in the construction and renovation of on-reserve housing using Indian Affairs subsidy dollars.

The NBC establishes a standard of fire safety for the construction of buildings, the reconstruction of buildings, including extensions or alterations, buildings involving a change of occupancy and upgrading of buildings to remove an unacceptable fire hazard.

Although not legislation, the code ensures that threats to health and safety in newly constructed and/or renovated buildings is minimized. Legal authority for applying and enforcing the standards in the code is derived from provincial statutes and municipal by-laws. In the case of Indian reserves, the authority rests with the Indian Act regulations. Authority is presently delegated via the Indian Act to First Nations Councils through a Band Council resolution. First Nations are required to pass a by-law, thus achieving the legal authority to adopt codes.

The NBC is used in conjunction with the National Fire Code. Part 9 of the NBC applies primarily to residential buildings. Part 3 contains items directed toward improving access and occupancy by handicapped persons.

2.2 Electrical Codes - Canadian Electrical Code, Part I (CE Code, Part I)

The Canadian Electrical Code, Part I, is a voluntary code prepared by representatives from electrical inspection authorities, industry, utilities and allied interests. It is published by the Canadian Standards Association (CSA).

The Code is to establish safety standards for the installation and maintenance of electrical equipment. Consideration is given to the prevention of fire and shock hazards, as well as proper maintenance and operation.

Compliance with the requirements of this Code and proper maintenance ensures an essentially safe installation. The Code is used in connection with a number of CSA and other standards. If the First Nation does not develop its own standards, and thus there are no federal codes, provincial codes apply. However, the First Nation can develop its own code, adopt it for its territory complete with regulations to enforce compliance.

2.3 Provincial Electrical Codes

The provinces have jurisdiction over the supply of electricity. Approval for the design and installation of electrical systems rests with respective provincial authorities.

Provincial electrical codes are derived from or adopt the Canadian Electrical Code, Part I, and receive their authority from provincial legislation or municipal by-laws. In the absence of provincial or municipal legislation, electrical installations are to conform to the Canadian Electrical Code, Part I.

2.4 Plumbing Codes - The Canadian Plumbing Code (CPC)

The Canadian Plumbing Code is prepared by the Advisory Committee on the National Building Code (ACNBC) and relates to the design, construction, extension, alteration, renewal or repair of plumbing systems. The CPC is complemented by Section 9.32 and Section 7 of the National Building Code.

Plumbing systems must be designed and installed to conform with appropriate municipal or provincial regulations, or, in the absence of such regulations, has in most First Nations communities, to conform with the ACNBC Canadian Plumbing Code.

2.5 Provincial Plumbing Codes

The design and installation of water and waste disposal systems within a structure are regulated by provincial or municipal authorities. Where appropriate regulations are not in place, the Canadian Plumbing Code is applied.

Off reserves, the layout and installation of potable water supply and waste disposal systems outside a structure is regulated by provincial and municipal health authorities, and is based on provincial legislation.

On reserves, the layout and installation of these systems is in keeping with requirements and references in the NBC, and with local First Nations' by-laws, where these exist. INAC also has regulations (DRMs) which effect installation.

2.6 Fire Codes - National Fire Code (NFC)

The National Research Council issues the NFC, which is prepared and updated by the Associate Committee on the National Fire Code. The NFC is similar to the NBC in that the two codes are sister publications and are extensively cross referenced.

The NFC establishes the standard for fire prevention, fire fighting and life safety in buildings. It deals with the operation of a building while the NBC deals with the construction of the building.

The NFC covers fire hazards in buildings, maintenance of fire safety equipment, standards for portable extinguishers, limits on building content, and establishment of fire safety plans. The NFC also deals with fire protection matters outside a building or community which could cause a hazard for residents.

2.7 Canadian Standards Association (CSA) - Installation of Heating Systems

The Canadian Standards Association (CSA) establishes standards for the design and installation of a variety of systems with regard to the installation of wood heating

systems. Installation of systems which use piped natural gas for fuel are regulated by industry-based requirements and provincial and federal regulations.

2.8 Dominion Fire Commissioner (DFC)

The Dominion Fire Commissioner (DFC) is part of Labour Canada. The DFC's mandate is based on applying/enforcing the Canada Labour Code and a Memorandum of Understanding with Treasury Board. There is no formal relationship to provincial fire commissioners, nor any responsibility to the general public.

The Memorandum of Understanding requires the DFC to set fire standards, provide fire protection engineering services and carry out fire inspections on federal facilities. The Canada Labour Code has some application to fire protection but deals more with other safety and health issues.

The DFC has a responsibility on reserves to provide services (fire protection engineering and inspection services) for federal facilities (primary schools and nursing stations). These are federal facilities as opposed to First Nations facilities. As schools and other assets are turned over to First Nations control and management, the DFC's responsibilities are decreasing. The DFC has no formal arrangement to provide similar services for First Nations building assets, including housing.

However, there are informal arrangements in many regions for Labour Canada to extend their services, on a time available basis, to First Nations facilities on reserves.

2.9 Provincial Fire Commissioners (PFCs)

PFCs are set up in each province as the fire protection authority on behalf of the provincial government. As the cities, towns, counties, etc., operate under provincial mandate, these PFCs are large players in so far as fire protection goes.

To generalize, PFCs have stayed away from any involvement on reserve except in the area of investigation of fire deaths and arson. PFC personnel either conduct those investigations or work in concert with the police (usually the RCMP).

2.10 INAC Technical Services Fire Protection Officers

Fire protection officers are regional persons with professional fire protection background (e.g., fire fighters or persons with extensive fire protection training). In the past they were INAC employees, but are now part of the Public Works Canada/INAC Technical Services organization. Generally, they provide fire protection service (e.g., fire protection advice to the department, First Nations, fire chiefs; train fire brigades; prepare the paperwork for buying fire trucks and other equipment; do fire inspection of Indian facilities; promote fire protection; etc.). The extent to which they are involved in residential construction depends entirely on the individual First Nation. In most cases, residential construction is not an area where the technical services officers provide any service.

With devolution and downsizing, INAC fire protection officers are getting away from the hands on role. Now they primarily provide advice and assist clients activities such as preparing agreements and promotion. Fire protection officers have not enforced fire protection in the true sense of the work. The primary method of enforcement was reliance on methods as voluntary compliance, training and promotion in order to have First Nations communities adhere to fire codes, standards and procedures.

2.11 Fire Protection Facilities

INAC has considered it part of their mandate to provide fire protection services for reserves. Generally, it is the policy of the funding agencies that Indian communities will have the same level of service considered adequate in similar circumstances in non-native communities. This consists of funding fire halls, fire trucks, and fire protection clothing. In addition to this there are O&M funds (based on a formula of \$85 per house) and other minor financial support. Fire protection must primarily come from the communities themselves in the form of volunteer fire brigades and community commitment to fire protection.

3.0 Barriers Impeding Development of Inspection Units Within First Nation Administrations

While a number of First Nations presently undertake their own inspections, others experience policy, legislative and administrative obstacles, or barriers, which impede their ability to develop their own inspection units. In this section we describe and recommend measures for addressing such barriers.

The following barriers were identified during our discussions with First Nations community representatives and inspectors:

- ▶ inadequate financial resources
- ▶ the lack of standards
- ▶ difficulty to enforce of standards
- ▶ conflicting administrative responsibilities
- ▶ conflict of interest
- ▶ no accreditation nor recognition of First Nation inspectors
- ▶ bonding & liability insurance hard to obtain

3.1 Adequate Financial Resources

The key to establishing effective compliance inspection units is the provision of adequate financial resources. This singular issue is at the root of all the other issues and without a financial resource base, other issues cannot be addressed properly. Paper # 2 establishes the amount of funds necessary to establish various units depending on the number of units to be constructed.

Recommendation:

- ◆ Establish sufficient levels of funding to maintain First Nation inspection units as an integral part of the housing budget.
- ◆ Establish separate budgets for the national institutions required to support the administration of inspection units.

3.2 Setting standards

Prior to 1983, the lack of adherence to any standards for residential construction in First Nation communities resulted in the construction of many homes of substandard quality. First Nation administrations had no authority over the expenditures that would allow them to initiate healthy construction practices. Without this authority, First Nations governments could not establish standards or regulations of enforcement.

First Nations administrations generally felt that if INAC provided housing, they should be responsible to ensure that the houses were constructed to a minimum standard. In fact Indian Affairs did contract to have Indian houses built. A major problem developed when they could not keep up with the demand. INAC administrative policies were more concerned with keeping control over the amount of money being spent on housing. In the early 1960s, INAC started referring to the housing program as a housing subsidy. This was initiated completely as an administrative matter with no Indian input. However, the die for responsibility over quality of housing stock had been cast much earlier in the administration of housing construction. Many First Nations Councils still feel that INAC has the major responsibility to construct housing and to ensure its quality.

In 1983, INAC, as a result of the Cabinet submission, established a program to increase the standard of services in homes on Indian reserves. In addition to the significant activity required to maintain and repair these and post-1983 homes, retrofitting as a result of the installation of water and sewer systems, and the installation of these systems themselves, contributed to the demand for inspections in First Nation communities. However, the numbers of units were established at 2,400 and a budget figure of \$800,000 was approved for inspection services. The rate was established @ \$400/house for compliance inspections. Simple arithmetic shows that this service was shorted by \$160,000. No funds were identified to support the administrative requirements for Indian Inspectors for either new construction or RRAP work. In 1983, because of a new INAC housing policy, financial resources were available only for housing built on reserve in compliance with the National Building Code (NBC). Further, this new housing stock was to be inspected for compliance by either CMHC inspectors, or external inspectors approved by CMHC, or by First Nations inspectors approved by CMHC. Because there were few First Nation inspectors, INAC initially contracted CMHC to inspect non-NHA houses.

All First Nations communities agree that building codes are essential and now build, as a minimum, to the National Building Code standards. Many have adopted standards which, in fact, exceed the National Building Code. In 1982, the Chiefs of Ontario mandated the Ontario Indian Housing Council to develop acceptable standards to protect the health and safety of occupants, and to ensure the soundness and durability of housing on reserves. The Council used Part 9 of the NBC as the basis for the RBCIR. However, this does not prevent a First Nations or individual from using traditional or innovative construction techniques considered appropriate and acceptable by the First Nations, provided that such techniques conform to approved standards that relate to materials used, such as the R-value of logs.

First Nations are able to develop or adopt their own building standards. However, developing a building standard for housing requires a great deal of research, community consultation and resources. Having the financial resources to undertake this exercise is a continuing problem. The Indian Act and its regulations set out the procedures by which a First Nations can pass by-laws. Having a code or standard for construction would fall under this category.

In many cases, due to inadequate resources, standards are not respected and First Nations are left in a position to only accept the housing that is constructed, regardless of the quality. First Nations face a dilemma because of the enormous backlog. If they have a substandard house constructed, they don't have the necessary financial resources to correct the problem. The only way to address the issue is to contract off-reserve contractors and implement a system of holdbacks. While this may be somewhat of a solution, it poses considerable problems for increasing local employment and development of skills and a total departure of the attainment of any level of self government. A similar system could be utilized for on-reserve contractors, but complications can easily happen. There are very few First Nations which actually have policies that restrict the acceptance of housing construction which conforms to the NBC.

Recommendation:

- ◆ Introduce federal legislation that will provide First Nation governments with the authority to determine the construction standard which would apply to their respective communities.
- ◆ First Nations representatives must participate in developing these standards.

3.3 Enforcement of standards

Inspections apply adequate codes and standards as construction or renovation progresses. In a technical sense, First Nations already have the authority to put in place the necessary procedures and authorities to enforce standards in their communities. The missing element is the financial means necessary to ensure that this option is available. Once again, the issue becomes available financial resources.

Another missing element of major proportions is the technical knowledge necessary for the development of codes and building standards. In the past, First Nations Councils have been provided services by the Technical Units of INAC, but that service is no longer available because of budget constraints. However, the technical units concentrated on providing generic training aids and specific project support (i.e., drawings and specifications for schools, bridges, municipal type services. etc.). Few, if any, resources were put into assisting housing inspectors.

Almost all First Nations administer their own housing program therefore, the responsibility for constructing houses rests with the First Nations governments. In cases where the community operates with "Certificates of Possession", the responsibility generally lies with the home owner. However, the regulatory regime under which construction can be undertaken is within the authority of the First Nations government. If the First Nations government does not or has not adopted applicable codes or regulations, federal or appropriate provincial regulations apply. It must be underscored that the First Nations can institute their own policies and standards.

The INAC housing policy attempts to enforce the quality of construction by demanding that: 1) housing not be funded unless it can be proven that the building will be completed, and 2) the construction be inspected to conform to NBC standards. A major problem results with the lack of resources to enforce the policy by either the federal government or the First Nations. The end result is construction that is substandard.

With respect to the role of inspectors, a deficiency can elicit two responses:

1. Order work to stop. However, there is no mechanism in place for the inspector to shut down the work unless the First Nation has clearly delineated a process to do so. As indicated previously, a resourcing problem occurs in getting these rules into place.

2. Stop or not approve payment until the deficiencies have been addressed. This condition occurs only if the Council has adopted the rules and procedures to do so. A further problem is created if the First Nations is the general contractor and the inspector is hired directly by the First Nations. The solution to this conflict of interest situation becomes a political decision.

Recommendations:

- ◆ The First Nation Government clearly delineate their construction policy, procedures and define the codes that are to apply in the area of jurisdiction
- ◆ Have a clear job statement for the building inspector with strict attention to the scope of activities to be performed.
- ◆ Require objective reports by the inspectors on the functions performed in relation to the scope of duties agreed to.

3.4 Conflicting Administrative Responsibilities

Quite often, Councils that want to build housing lack sufficient knowledge, experience and procedures at the administrative level for setting and enforcing standards and administering the housing portfolio. Typically, the breakdown of skills and experience among the various participants involved with on reserve housing is as follows:

- ◆ Housing administrators at the community level have little exposure to building codes and their applicability. Their job does not require them to be familiar with construction practices.
- ◆ Builders and tradespeople usually have years of experience in construction and a working knowledge of the NBC. In addition, much of their work has ongoing scrutiny from various inspectors.
- ◆ The inspector is usually a journeyman with considerable construction experience and a thorough knowledge of the NBC.

It is important to raise everybody's knowledge of the NBC - how it works and how to enforce it. This could be accomplished through home builders or NBC building workshops.

The roles and responsibilities of construction supervision and portfolio management at the First Nations level should be clarified and separated from the inspector responsibilities. The housing administrators need to have a general knowledge of the NBC so they can tell if they are ready to call in an inspection.

Each community needs to assess the most effective manner to provide housing to their communities. The housing administrator is required to put the plans and specs together, to arrange the funding, and supervise the construction of the houses. The role of the inspector should be to provide an objective assessment of the degree of compliance with standards. They need to be able to assess code compliance as well as assess the workmanship being carried out at the construction site.

The inspectors can assist in making the housing stock last longer through ongoing maintenance inspections in the post construction phase. This aspect of service could be built into the scope of activities for the inspectors. Major problems could be identified and addressed before the house falls into a state of disrepair where the cost to renovate is prohibitive.

Recommendations:

- ◆ Policies should be established by local communities which delineate lines of responsibility.

3.5 Conflict of Interest

Communities have choices to make when obtaining inspection services. These choices presently are through Tribal Councils, regional inspection units, government agencies/crown corporations, or through a private market company or individual. In choosing inspectors, the community must assess the government regulations and requirements that are in effect, the cost implications and compare the services of each.

If the community decides to do its own inspections, a number of issues need to be addressed:

- ▶ Does the community desire an arms length relationship between the inspectors job and that of the contractors?
- ▶ How will the community enforce inspection recommendations?
- ▶ What are the liability consequences?

- ▶ What are the considerations re: reducing conflict of interest?
- ▶ Is there an availability of inspectors in community?
- ▶ Is there a capacity to undertake inspections?
 - If yes, are they available to provide inspection services?
 - are they recognized by funding authorities?
 - If no, are there candidates willing to be trained?
 - where is training available?
 - what are the requirements?
 - how will training costs be covered?

The inspectors should have no vested interest in producing anything other than an objective report for Council based on compliance with the applicable codes. Working for the Tribal Council or provincial inspection unit provides an arms length relationship between the Council and the inspector.

If, however, the inspector's source of income flows directly from the First Nations Council, which in most cases also owns the house, it is difficult to ensure that the inspector is not placed in a position where he feels compelled to ignore deficiencies. This may occur where a predetermined schedule is established and controlled by others.

Unlike the regional or city inspector who is likely part of, and subject to, potential censure by a provincial inspectors' association, First Nations-hired inspectors are not allowed membership in such associations without the proper accreditation. These associations are not affiliated with on-reserve housing and as such are not able to provide a direct service to First Nations housing inspectors. At present, there is no such process. Many Native inspectors (journeymen carpenters, or trained in inspection) are not members of such an association and censure is presently not a deterrent.

Regionalized inspection services (Tribal Council or provincial scale units) minimize the problem of conflict of interest.

Ultimately, the responsibility of addressing conflict of interest issues rests with the local First Nations community. They, and they alone, elect their representatives and the representatives are responsible to their constituents. While there is no regulatory deterrent to hiring inspectors locally, there is a financial resource issue in getting fully qualified inspectors.

Recommendation:

- ◆ Ensure that conflict of interest guidelines are in place and make sure the inspectors are aware of these guidelines. Compliance with these guidelines should be part of the performance criteria and built into the staff evaluation criteria.

3.6 Accreditation and Recognition of First Nation Inspectors

First Nations communities need trained and qualified inspectors. Developing an adequate pool of First Nation inspectors for employment on reserves, with inspection units in the private and public sector is considered a priority. Ensuring that adequate resources and incentives are in place to support and maintain the pool of inspectors is a further concern.

Inspectors and service providers unanimously agree there is a present shortage of training and opportunities for accrediting First Nation residential inspectors.

The Council of Canadian Building Officials Association (CCBOA), made up of officials from provincial inspector associations, the private and public sectors, and the World order of Building Officials (WBO) are working to try to provide some level of standardization to building codes and accreditation and certification processes in Canada. They are concerned that people with little or no training can sell their services as an inspector. A steering committee, with Native representation, are trying to establish this umbrella organization.

Attempts are also being made to get national recognition (ie by CCBOA) of First Nation inspectors. Not all CMHC regional office inspectors are members of their provincial inspectors associations or CCBOA. These associations accredit the 'capacity' of that person, not what he/she does with that capacity. A First Nations with its own inspectors could also affiliate themselves with a provincial association. However, at present there are no such affiliations or established procedures to obtain such an alliance.

The CCBOA and the provincial associations have indicated a willingness to accommodate the interests of Native inspectors and a national native inspectors association. Many of the components which comprise the minimum standards on association dacom charts do not apply to First Nation communities (i.e. a number of municipal requirements such as the issuance of permits) making it difficult for many

First Nation inspectors unfamiliar with off-reserve inspection requirements to gain certification.

A considerable amount of liaison work would have to be undertaken to reach a level where the association could agree to accept First Nation inspectors.

An association such as the National First Nations Housing Institute could develop and provide their own accreditation program. This would take considerable development time and dollars. As well, a huge amount of development time would be necessary to provide the First Nations with information and to receive their support.

Recommendation:

- ◆ establish as part of the First Nations Housing Institute, a program where First Nations accredit and recognize residential inspectors.

3.7 Bonding & Liability

Liability is generally a corporate responsibility. Liability is only attributed personally if the entity initiating the contract does so with an individual who purports to have certain qualifications and then acts incompetently or violates the regulations under which they are supposed to work. In the case of a housing inspector, liability would fall onto an individual only if a First Nations or Tribal Council retained someone to conduct inspections, and that person agreed to conduct compliance inspections but did not have the requisite training or understanding to do so. This clearly is a very difficult situation and one that the hiring body should be careful about entering. The qualifications and work of the contractor should be well known and established.

When the inspection services are offered through an organization of some description, the responsibility to ensure competence lies with the organization. A bond is similar to an insurance certificate wherein the responsibilities to perform certain functions are established. The ability to obtain bonding for employees is not only expensive, but an onerous administrative task because the organization, in effect, has to prove that the qualifications and capacity of their employee's performance is such that claims against their work would be minimized.

The First Nations if acting as a direct employer is ultimately liable for the ramifications of inspection services. CMHC, on the other hand, indirectly covers its inspectors for liability. Its not insurance per se and they are not covered as individuals, but the Corporation does cover the expenses incurred by claims made against its employees while they are doing Corporation work. However, the same coverage does not apply for contracted inspectors. CMHC is presently looking for ways of covering the First Nation inspectors they contract out to.

Recommendation:

- ◆ Bonding and liability should be addressed as part of the training and certification procedures. Discussions should be initiated with Canadian Insurance Association with the view to reaching an agreement that will result in the ability of Aboriginal building inspectors being able, or their representative organizations, to receive liability and bonding insurance. This should also be included as a priority item to establish as part of a financial institutional development process.

4.0 Regulatory Requirements to Implement Recommended Options

In this section we look at what administrative, policy or legislative requirements are necessary for the implementation of the options presented in Paper #2.

4.1 Implementing the Three Delivery Options

Inspection services are already delivered to First Nation communities through mechanisms organized at the local, Tribal Council and provincial levels.

In order for First Nations inspectors to provide a complete range of inspection services, CMHC needs to broaden its present administrative policies to allow First Nation inspectors to inspect NHA housing on reserves. This may require increasing the level of administrative/paper work skills possessed by First Nation inspectors.

The CMHC role in inspection service has lessened over the past decade due in part to an increase in the availability of both municipal and private sector inspection services. CMHC's staff complement for inspectors has been down-sized considerably in recent years.

Monitoring inspections and percentage complete assessments undertaken for NHA financed construction on reserve are completed by CMHC staff. CMHC delivers inspection services for NHA housing through staff inspectors or by contracting out the service to delivery agents on a fee-for-service basis. However, as was noted in Paper #2, no First Nations organizations are employed to undertake this function. CMHC now contracts out RRAP inspections to First Nations delivery agents in several, but not all provinces. However, CMHC still inspects most section 95 NHA housing.

CMHC managers have been instructed to be pro-active in hiring Indian inspectors. This direction is being taken up to varying levels across the regions. For instance, Ontario tends to contract directly with First Nations, Tribal Councils and the Indian Inspectors Unit to perform RRAP inspections, while in the Prairie provinces there is little movement to utilize trained Indian inspectors for section 95 NHA housing.

An internal working group of representatives from national office divisions and representatives from AFN's Housing Task Force have met to discuss ways to facilitate CMHC field office use of qualified Native inspectors for the purpose of carrying out NHA inspections on reserve. The working group has prepared a report of draft recommendations addressing the following NHA activity:

- RRAP delivery including progress and compliance inspections
- Section 95 new construction
- Portfolio management monitoring
- Project Haven/Next Step
- Insured lending
- Direct lending

This working group has not yet addressed the use of Native inspectors outside CMHC's jurisdiction, e.g. electrical, gas, and septic systems.

Recommendation:

- ◆ Get certification and accreditation
- ◆ Establish certified training programs

4.2 Establishing a National First Nations Housing Institute and National Association of First Nation Inspectors

There is a role to be played by national First Nation institutions in supporting the development and maintenance of a comprehensive system of inspection units. In Paper #2, we proposed the development of a national First Nations Housing Institute and a First Nations Inspectors Association.

A national institution devoted to housing issues would establish a needed focal point for the collection and sharing of information, standards and training by and for First Nations communities, Tribal Councils and inspection units.

A national First Nations housing institute would have among its functions:

- ▶ acting as a clearinghouse for information on housing issues
- ▶ developing a national housing training program
- ▶ developing national listing of First Nation inspectors, contractors, training, standards, and programs
- ▶ obtaining agreement with builders associations for recognition of a national certification program
- ▶ obtaining agreements with regulatory bodies
- ▶ addressing financing issues
- ▶ developing ongoing recommendations for improving the quality of houses on Indian lands

A national association of First Nations inspectors would give recognition and a much needed voice to First Nations inspectors across the country. It's functions would include:

- ▶ to advocate on behalf of First Nations inspectors
- ▶ to develop industry standards for inspection services
- ▶ to develop a national training and certification program
- ▶ to provide opportunities for inspectors to network

Recommendation:

- ◆ The development of this association should be viewed as a priority item

4.3 Establishing a national training and accreditation program for First Nation Inspectors

First Nation inspectors have identified a need for national coordination of inspector training. They also suggest a number of program, research, lobby, co-ordination and promotion activities be undertaken in support of improved training for inspectors. They are:

Programming

- ▶ a national First Nations training and certification program

Research

- ▶ study feasibility of various models for First Nation Inspector Training

Lobbying

- ▶ Press government for funding for inspection training

Co-ordination

- ▶ coordinating inspector training
- ▶ establish an information clearinghouse for training providers
- ▶ sponsor networking opportunities (i.e. an annual training conference)
- ▶ pilot training programs

Promotion

- ▶ promote inspector training to First Nations communities
- ▶ publish 'how to' manuals on subjects related to delivering inspection services (business planning, training, marketing service, evaluation, etc)
- ▶ publish newsletter linking inspector training programs with inspection units and communities

Recommendation:

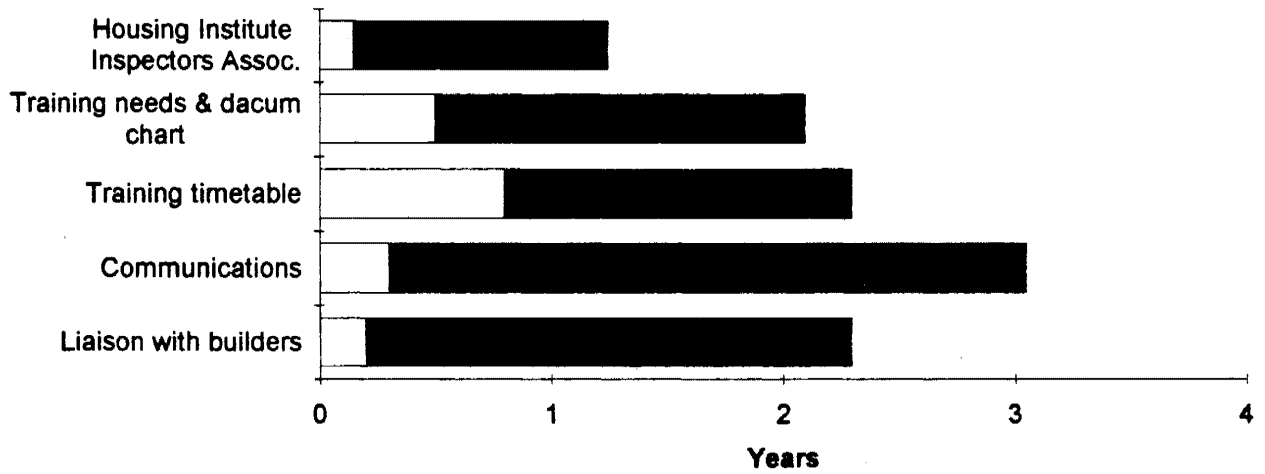
- ◆ Establishing a national training and accreditation program for First Nation Inspectors should be the first priority of the new association

5.0 Sequence of Events and Timeframe

The following initiatives should be undertaken concurrently:

1. Establish: a) a National First Nations Housing Institute to be a focal point for the collection and sharing of information, standards and training by and for First Nations communities, Tribal Councils and inspection units; and b) a National Association of First Nation Inspectors to give recognition and a voice to First Nations inspectors across the country.
2. Identify training needs and national dacum chart;
3. Establish a training timetable;
4. Develop a communications process with First Nations communities;
5. Develop liaison with builders associations

The sequencing of these events within a three year timeframe is illustrated as follows:



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