



PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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CHAPTER H-11
HOUSING CORPORATION ACT
COMPREHENSIVE HOME REPAIR PROGRAM
REGULATIONS

Pursuant to section 38 of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11, Council made the following regulations:

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| 1. In these regulations | Definitions |
| (a) “aggregate gross income” means the aggregate sum of income in whatever form received by the household, and without restricting the generality of the foregoing, includes salaries, commissions, fees, capital gains, and pensions, but in the case of self-employed persons, such income shall be determined by the Corporation; | aggregate gross income |
| (b) “applicant” means an owner of a dwelling unit who is making application for assistance under these regulations; | applicant |
| (c) “conditional approval” means a conditional approval by the Corporation of an interest subsidy for a home repair loan to be arranged by the applicant with a lender; | conditional approval |
| (d) “Corporation” means the Prince Edward Island Housing Corporation; | Corporation |
| (e) “dependant” means a person | dependant |
| (i) under the age of eighteen, | |
| (ii) eighteen or older but under twenty-five and attending a recognized educational institution on a full-time basis, | |
| (iii) eighteen or older wholly dependent upon the applicant and the spouse of the applicant for his or her livelihood because of illness or disability; | |
| (f) “dwelling unit” means the applicant's principal residence in whatever form, intended for year-round occupancy and providing therein living, sleeping, eating, and food preparation facilities for a household; | dwelling unit |
| (g) “final approval” means a final approval by the Corporation for an interest subsidy on a home repair loan obtained from a lender by an applicant who has been conditionally approved; | final approval |
| (h) “fiscal year” means the Corporation's budget period which runs from April 1 of one year to March 31 of the following year; | fiscal year |

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| household | (i) “household” means the people who normally reside in the dwelling unit including the applicant, the spouse of the applicant, a dependant or any other person related by blood or marriage to the applicant; |
| income | (j) “income” means the aggregate gross income in whatever form received by the household, less <ul style="list-style-type: none"> (i) living out or travelling allowance for the principal wage earner, (ii) insurance settlements, inheritances, monies realized from the sale of personal effects or chattels, and similar monies which in the opinion of the Corporation should not be included as income, (iii) child benefits, (iv) the income of a dependant; |
| owner | (k) “owner” means a person who alone or with another or others, holds or will at the relevant time hold title to a dwelling unit and may include <ul style="list-style-type: none"> (i) the lawful representatives of the estate of such persons, (ii) a lessee of a property under a lease expiring not less than five years from the date for which application for assistance is made by the lessee under these regulations, (iii) a lessee or occupant of five years or more if the actual owner of the dwelling unit has agreed to the repair work, (iv) a lessee of land under a lease from the Crown or from any municipality or from any corporation when the lessee owns a home located thereon and when the lease expires not less than five years from the date of application, (v) a veteran with whom the Director under the <i>Veterans' Land Act</i> (Canada) has a subsisting contract for the sale of land made pursuant to Part 1 of the <i>Veterans' Land Act</i> (Canada); |
| recreation home | (l) “recreation home” means a building which is used primarily for recreation or seasonal purposes and is occupied or intended for occupation on an intermittent basis. (EC403/92) |
| Application | 2. An applicant must submit a completed application to the Corporation in such form as the Corporation may determine. (EC403/92) |
| <i>Idem</i> | 3. Only one applicant per household may make application for assistance under these regulations. (EC403/92) |
| Conditional approval, requirements | 4. To be eligible for a conditional approval under these regulations, the applicant must show to the satisfaction of the Corporation <ul style="list-style-type: none"> (a) that the applicant is the owner of the dwelling unit on which the eligible repair work is to be carried out; (b) that the dwelling unit of the applicant is in need of repair work; |

(c) that the annual income of the household is \$30,000 or less.
(EC403/92)

5. The Corporation may deny any application made under these regulations when in the Corporation's opinion the applicant's assets are such that to grant the application would be contrary to the spirit or intent of these regulations. (EC403/92) Discretion in Corporation

6. All applicants shall provide to the Corporation a copy of such income tax returns as are requested, together with any other evidence or proof of income that may be required by the Corporation, in such form as the Corporation determines. (EC403/92) Proof of income

7. The dwelling unit for which assistance is sought must Dwelling unit

- (a) be in need of eligible repair work;
- (b) be owned by the applicant at the relevant time; and
- (c) be occupied by the applicant at the time of application or be intended for occupancy by the applicant immediately following the completion of the eligible repair work. (EC403/92)

8. A recreation home does not qualify for assistance. (EC403/92) Recreation home

9. (1) Eligible repair work is any work that, in the opinion of the Corporation, must be carried out to correct deficiencies in one or more of the basic components of the dwelling unit. Eligible repair work

(2) Eligible repair work does not include Excluded items

- (a) any work that, in the opinion of the Corporation, is necessary to complete the construction of a dwelling unit;
- (b) any work involved in the preparation for or the transportation of a dwelling unit being relocated to a different site;
- (c) any work that, in the opinion of the Corporation, is purely cosmetic in nature;
- (d) any work that, in the opinion of the Corporation, is to repair damages where insurance adequately covers these costs;
- (e) any work that, in the opinion of the Corporation, has been commenced or completed prior to the issuance of a final approval unless the applicant can demonstrate to the satisfaction of the Corporation that the immediate need for repairs necessitated corrective action prior to approval. A final approval will not be given unless the work is judged by the Corporation to have met eligibility requirements.

(3) The Corporation may produce guidelines for the purpose of administering these regulations. (EC403/92) Guidelines

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| Assistance | 10. (1) The assistance provided under these regulations shall be in the form of an interest subsidy on a home repair loan obtained by the applicant. |
| Interest subsidy | (2) The interest subsidy shall be the monthly interest cost of the home repair loan. |
| Loan amount | (3) The amount of the home repair loan shall not exceed the cost of eligible repair work. |
| Maximum loan | (4) The maximum home repair loan for the purpose of calculating assistance is \$5,000. |
| Repayment period | (5) The loan repayment period for the purpose of calculating assistance shall not exceed five years. (EC403/92) |
| Inspection | 11. (1) To ascertain if the repair work is eligible repair work the Corporation shall carry out an on-site inspection of the applicant's dwelling unit. |
| Estimate of cost | (2) The Corporation shall estimate the cost of the eligible repair work. (EC403/92) |
| Conditional approval | 12. If in the opinion of the Corporation, the applicant and the indicated home repair work meet the requirements of these regulations, the Corporation will issue a conditional approval. (EC403/92) |
| Final approval | 13. (1) Subject to subsection (2), where an applicant who has been given conditional approval provides evidence satisfactory to the Corporation of having obtained a home repair loan from a lender, the Corporation will issue a final approval. |
| Unacceptable rate of interest | (2) Where the interest rate of a home repair loan provided by a lender is, in the opinion of the Corporation, significantly above that offered by other lenders, the Corporation may refuse a final approval. (EC403/92) |
| Completion of work | 14. An approved applicant shall inform the Corporation when the eligible home repair work is completed and shall provide such evidence as the Corporation considers necessary on the cost of the work. (EC403/92) |
| Time limitation | 15. (1) Subject to subsection (2), an approved applicant shall have six months from the date of final approval within which to have the eligible repair work completed. |
| Extension of time | (2) Where the work is underway but not completed within the six-months time limit established in subsection (1), and where the Corporation is satisfied that the applicant has taken all reasonable action to have the work completed within that time limit, the Corporation may |

provide a two-month extension, within which the repair work must be completed.

(3) Where the repair work has not been completed within the time frames provided in subsections (1) and (2), the Corporation shall cancel the final approval. Cancellation

(4) The cancellation under subsection (3) of the final approval shall not preclude the applicant from making a new application for assistance under these regulations. (EC403/92) *Idem*

16. (1) The Corporation may carry out whatever inspection efforts it considers appropriate and necessary on the applicant's dwelling unit to ensure that the intent and provisions of these regulations are met. Final inspection

(2) Where for any reason an applicant refuses the Corporation permission to carry out an inspection of the dwelling unit the Corporation may reject the applicant's application or, where applicable, cancel any approval. (EC403/92) Refusal

17. An applicant shall be eligible to receive assistance more than once under these regulations, but the total accumulated amount of home repair loans shall not exceed \$5,000. (EC403/92) Subsequent eligibility

18. All repair work must be carried out in conformity with the relevant Provincial Codes. (EC403/92) Application of Codes

19. (1) The making of a statement in the application that is false in any material respect shall entitle the Corporation to immediate repayment by the applicant of any interest subsidy assistance advanced, and to take any action to secure repayment that the Corporation considers proper in the circumstances. False statement

(2) The use of the proceeds of the home repair loan otherwise than for approved repair work shall entitle the Corporation to take any action that it considers proper in the circumstances. (EC403/92) Misuse of loan funds