



BANFF HOUSING CORPORATION

AGENDA ORDER OF BUSINESS

April 23, 2025

8:30-10:30

Ted Langridge (hybrid participation option)

BHC Vision	BHC Mission	BHC Purpose
To provide Banff residents with a place to call home while fostering engaged and connected communities.	To provide a wide range of below-market housing options for residents of Banff National Park that support the needs of our community within our built environment.	To manage the current and future homeownership and rental portfolios.

- 1.0 LAND ACKNOWLEDGEMENT
- 2.0 CALL TO ORDER
- 3.0 APPROVAL OF AGENDA
- 4.0 ADOPTION OF PREVIOUS MINUTES & PUBLIC ATTACHMENTS
- 5.0 DELEGATIONS – NBLC – Nick Michael
 - 5.1 Recommendation that the BHC Board, pursuant to Sections 23 (Local public body confidences), and 24 (Advice from Officials) of the Freedom of Information and Protection of Privacy Act., move into a closed meeting, conducted in Ted Langridge and a confidential Zoom meeting environment, to discuss confidential matters with respect to the following Items: NBLC Land Economist presentation
- 6.0 NEW BUSINESS
 - 6.1 **Formal Motion following e-vote for approval of Leader Construction’s quote to commence specified work to Unit 2, Moffat Manor**
 - 6.2 **RFD – Media and Public Relations Policy**
 - 6.3 **RFD – Sublease Enforcement and Homeowner Compliance Policy**
- 7.0 ADMINISTRATIVE STAFF UPDATES
 - 7.1 BHC
 - 7.1.1 **Verbal briefing AGM preparation**
 - 7.1.2 **Verbal briefing Newsletter update**
- 8.0 CONFIDENTIAL ITEMS
 - None.
- 9.0 FINANCIAL
 - None.



BANFF HOUSING CORPORATION

10.0 NEXT MEETING – May 15, 2025

11.0 MOTION TO ADJOURN

Agenda Distribution

1 Administration, 4 Public Members, 2
Town Council Members



BANFF HOUSING CORPORATION

MINUTES OF THE BANFF HOUSING CORPORATION

In-person / Zoom
March 26, 2025

BOARD MEMBERS PRESENT

Jeffrey Carpenter	Public Member Director
Pam Traut	Public Member Director
Mark Walker	Public Member Director - Chair
Lauren Aebig	Town of Banff Senior Administration
Kaylee Ram	Council Representative
Barb Pelham	Council Representative
Melanie Petelle	Public Member Director -Vice Chair (remote)
Dave Michaels	Manager, Planning and Development, TOB

ADMINISTRATION

Heather Bolt	BHC Operations Supervisor
Sharon Oakley	Manager, Housing Sustainability, TOB

BHC VISION

To provide Banff residents a place to call home while fostering engaged and connected communities.

BHC MISSION

To provide a wide range of below-market housing options for residents of Banff National Park that support the needs of our community within our built environment.

1.0 Land Acknowledgment: M. Walker

2.0 CALL TO ORDER

BHC25-16 M. Walker called the March 26, 2025, meeting of the Banff Housing Corporation to order at 8:30 a.m.

3.0 APPROVAL OF AGENDA

BHC25-17 Moved by B. Pelham to approve agenda

CARRIED

4.0 ADOPTIONS OF MINUTES & PUBLIC ATTACHMENTS

BHC25-18 Moved by M. Petelle to approve the February 26, 2025, minutes.

CARRIED

5.0 NEW BUSINESS

5.1 Invited presentation: Update from Dave Micheals, manager, Planning and Development on the *Accessory Guest Accommodations Land Use Bylaw - Home Swap queries*

5.2 RFD Property Management Software

BHC25-19 B. Pelham moved to approve the implementation and purchase of the Arcori software program, which will be phased in over two years. **CARRIED**

5.3 Briefing- Fees and Service Charges

BHC25-20 K. Ram moved to accept the briefing on fees and service charges **CARRIED**

6.0 ADMINISTRATIVE STAFF UPDATES

TOB: 6.1 Verbal Briefing – update on 50 Wolf Mixed Use Development.

7.0 CONFIDENTIAL ITEMS

BHC25-21 **M. Walker**

M. Walker moved the BHC Board members, under Sections 23(Local Public Body Confidence)and section 24 (advice from officials) and section 27 (privileged information) of the Freedom of Information and Protection of Privacy Act, recess at 9:46 a.m. to the call of the chair, to reconvene in a closed meeting, to be conducted in the Ted Langridge room, to consider confidential matters with respect to confidential information on The NBLC Land economist. **CARRIED**

BHC25-22 Moved by M. Walker that the BHC board rise and report. BHC board reconvened in public meeting at 10:33 a.m. with Mark Walker in the Chair. Directions to organize a facilitated board workshop to review the document and recommendations. **CARRIED**

8.0 NEXT MEETING DATE: Wednesday April 23, 2025, Ted Langridge Room

NOTE: Future meetings to be scheduled on the 3rd Thursday of the month from 8:30-10:30 am, effective May 2025.

9.0 MOTION TO ADJOURN

BHC25-23 Moved by K. Ram to adjourn at 10.39 am **CARRIED**

Sharon Oakley

Recording Secretary

Administrative/Board of Director's Policy

BHC Media and Public Relations Policy



Policy BHC-B-2001

Agenda Item 5.2

Approved:	<i>TBD</i>	Administrative Responsibility:	Executive Director
		Review Date:	
Modified:	<i>NA</i>	Next Review Date:	

1.0 POLICY

This policy outlines the procedures for public and media relations for Banff Housing Corporation (BHC) to ensure that all communications are clear, consistent, transparent, and professional in all interactions. This policy establishes who is authorized to speak to the media and how BHC members should handle public inquiries outside formal meetings.

2.0 STANDARDS & PROCEDURES

Authorized Spokesperson(s)

- 2.1 **Designated Spokesperson:** The Executive Director (ED) of the BHC is the primary spokesperson for media inquiries. The ED is authorized to represent the organization to the media.
- 2.2 **Board Chair:** The Board Chair may act as a spokesperson only when the ED is unavailable or when the matter pertains specifically to the Board's activities, policies, or positions. In such cases, the Board Chair may comment on issues relevant to the board's strategic goals or governance matters.
- 2.3 **Other Authorized Representatives:** In exceptional cases, the ED or Board Chair may designate other senior staff or board members to speak on specific matters, with prior approval. This should be coordinated with the ED to ensure consistency in messaging.

Media Relations Procedures

- 2.4 **Media Requests:** All requests for interviews, statements, or information from the media should be directed to the ED. If the ED is unavailable, the request should be referred to the Board Chair.
- 2.5 **Response Timeline:** BHC will respond to media inquiries in a timely manner. The ED will prioritize requests based on urgency, ensuring that key messaging is consistent and aligned with the organization's values.
- 2.6 **Crisis Communication:** In the event of a crisis or urgent matter requiring media attention, the ED, in collaboration with the Board Chair, will develop a coordinated response. A crisis communication plan, including key talking points, will be implemented promptly to ensure consistent messaging across all platforms.

Administrative/Board of Director's Policy

BHC Media and Public Relations Policy



Policy BHC-B-2001

- 2.7 **Media Training:** BHC will provide media training for all designated spokespeople, ensuring they understand the corporation's policies, key messages, and how to handle inquiries professionally.

Public Engagement Outside of Meetings

- 2.8 **General Expectations for Board Members:** Board members are encouraged to engage with the public and stakeholders respectfully and professionally. However, board members should avoid making public statements that may be interpreted as official BHC positions, especially on issues that require board approval or are under consideration.

2.9 Interaction with Members of the Public:

- i) If a board member is approached by a member of the public or a stakeholder outside of a formal meeting, they should explain that their views are personal and may not reflect the position of BHC.
- ii) Board members should encourage individuals to bring their concerns or inquiries to formal BHC meetings or direct them to the ED for more information.
- iii) If the conversation involves an issue requiring immediate attention, the board member should refer the individual to the appropriate staff member, such as the ED, for a response.

- 2.10 **No Unauthorized Commitments:** Board members must avoid making commitments on behalf of BHC. Any promises or decisions made by a board member outside of formal meetings are not binding. If a board member feels that an issue is significant, they should bring it to the attention of the ED for further consideration and follow-up.

Community Member Participation at Board Meetings

2.11 Purpose

The Board encourages community engagement and provides an opportunity for community members to address the Board on matters within its jurisdiction. This section establishes the process and guidelines for community participation in Board meetings.

2.12 Scope of Permissible Requests

Community members may request to speak at Board meetings on matters related to Board operations and governance, excluding administrative or personnel issues. Topics must be relevant to the Board's authority, such as policies, programs, strategic planning, and financial oversight. Matters concerning individual employees, confidential matters, or active litigation are not permissible topics for public discussion.

2.13 Requests for Speaking Privileges

Administrative/Board of Director's Policy

BHC Media and Public Relations Policy



Policy BHC-B-2001

i) Community members wishing to address the Board must submit a written request at least five (5) business days before the scheduled meeting. The request must include:

- a) The speaker's name and contact information.
- b) The topic of discussion and a summary.
- c) Whether the request is for a delegation (a group representation) or an individual presentation.
- d) Any written materials, reports, or visual aids that will be presented
- e) All requests should be sent by email directly to bhc@banff.ca

ii) The Chair, in consultation with the Board, shall review the request to ensure compliance with these guidelines and determine its placement on the agenda.

2.14 Delegations and Presentations

- i) **Delegations:** Groups or organizations wishing to present must designate a spokesperson. The delegation will be allotted a maximum of ten (10) minutes to present, followed by a question period at the Board's discretion.
- ii) **Individual Presentations:** Individuals shall be granted up to five (5) minutes to present, followed by a question period at the Board's discretion.

2.15 Rules of Conduct

- i) Speakers must adhere to respectful decorum as outlined in Robert's Rules of Order.
- ii) Remarks must be directed to the Board as a whole and not to individual members or staff.
- iii) Personal attacks, inflammatory language, or disruptive behaviour will not be tolerated, and the Chair reserves the right to terminate any presentation violating these standards.
- iii) The Board is not obligated to respond immediately but may take the matter under advisement for future discussion.

2.16 Board's Discretion

The Board reserves the right to limit the number of speakers, decline requests that fall outside its jurisdiction, or defer topics to an appropriate committee or administrative process.

2.17 Social Media Engagement

- i) **Board Members and Social Media:** Board members should clearly distinguish between their personal social media profiles and their role as a representative of

Administrative/Board of Director's Policy



BHC Media and Public Relations Policy

Policy BHC-B-2001

BHC. While they are free to express their personal opinions, they should refrain from using their BHC title or board position when commenting on matters related to BHC, unless authorized to do so.

ii) **Official BHC Social Media:** BHC will maintain official social media accounts for corporate communications. Only designated spokespersons, such as the ED or Board Chair, may post content related to BHC policies, activities, or official statements.

2.18 Confidentiality and Privacy

i) **Confidential Information:** Board members and staff must not disclose confidential or sensitive information related to BHC's operations, strategy, or negotiations unless specifically authorized by the ED or Board Chair.

ii) **Public vs. Private Information:** Public information can be shared freely with the media or the public, while private or confidential information should remain protected. Any questions about whether information is public or private should be directed to the ED for clarification.

3.0 RESPONSIBILITIES

Policy Review and Amendments

3.1 **Regular Review:** This policy will be reviewed annually by the Board to ensure its relevance and effectiveness. Updates or amendments may be made as necessary to reflect changes in public relations practices, organizational goals, or media landscapes.

3.2 **Board Approval:** Any amendments to this policy must be approved by the BHC Board of Directors.

Compliance and Accountability

3.3 **Adherence to Policy:** All board members and staff of BHC are required to adhere to the public and media relations procedures outlined in this policy. Failure to comply may result in internal review or disciplinary action as determined by the Board.

4.0 DEFINITIONS

4.1 **Public:** The people, groups, and organizations in the community can include residents, taxpayers, partners, business owners, property owners, renters and employees.

4.2 **Media:** People or organizations that disseminate information to other members of the public including journalists, new outlets, and radio.

4.3 **Social Media:** Online technologies and networks which feature user-generated content are considered social media. Examples are Facebook, Instagram, X, YouTube, blogs, podcasts, video sharing, chat rooms, and Wikipedia.

Administrative/Board of Director's Policy

BHC Media and Public Relations Policy



Policy BHC-B-2001

4.4 **Spokesperson:** An employee or representative of the Banff Housing Corporation authorized and supported to communicate by speech, written or digital means on behalf of the organization, its positions, interest, or activities to media platforms.

4.5 **Stakeholder:** Residents, organizations and other community members who may have an interest in, or are affected by, a decision, or service or program.

Adopted by the Board of Directors on [Date]

Signed: [Board Chair Name]

DRAFT

Administrative Policy

Banff Housing Corporation Sublease Enforcement Policy

Policy BHC-A-1007



Approved:		Administrative Responsibility:	BHC Administration
		Review Date:	December 5, 2024
Modified:		Next Review Date:	

1.0 POLICY

The purpose of the Banff Housing Corporation (BHC) is to help the Town of Banff maintain a healthy and balanced community by providing below-market homeownership opportunities to eligible residents of Banff.

All BHC homeowners are required to sign a Sublease Agreement or a Sublease Assignment Consent at the time of purchasing a BHC property. The Sublease Agreement outlines the terms and restrictions (eligibility, occupancy requirements, resale policies, etc.), that all owners must abide by for the duration of owning the BHC property. BHC is responsible for upholding the articles of these agreements. Failure to enforce this rule would compromise the BHC's mandate and responsibilities to homeowners, resale applicants, and the community at large.

BHC Price Restricted and Equity Share homeowners in Banff National Park must adhere to sublease agreements requiring them to be eligible residents and to live full-time in their BHC (Banff Housing Corporation) property as their primary residence. The BHC is responsible for enforcing Article 4 of these agreements, which mandates owner occupancy. Failure to enforce this rule would compromise the BHC's mandate and responsibilities to homeowners, resale applicants, and the community at large.

2.0 SCOPE

This policy applies to all BHC homeowners.

3.0 DEFINITIONS

- 3.1 The BHC Sublease is the legally binding agreement registered at Land Titles that outlines the roles and responsibilities of both the Owner (Sub-lessee) and the BHC in fulfilling the BHC's mandate.
- 3.2 **Sub-lessee** ("homeowner")
- 3.3 **Primary Residence** means the residence which is the place the Sub-Lessee ordinarily and continually occupies as his residence on a full-time basis, as determined by the Corporation.
- 3.4 **Banff National Park Eligible Residency Requirements** means
 - i) an individual whose primary employment is in Banff National Park; or

Administrative Policy

Banff Housing Corporation Sublease Enforcement Policy

Policy BHC-A-1007



- ii) an individual who operates a business, except a home occupation, in Banff National Park and whose presence at the place of business is necessary for the day-to-day operation of the business; or
- iii) a retired individual who resides in Banff National Park and who, for five (5) consecutive years immediately prior to retirement:
 - a) was employed primarily in Banff National Park; or
 - b) operated a business in Banff National Park and whose presence at the place of business was necessary for the day-to-day operation of the business; or
- iv) a retired individual who resided in Banff National Park at the time of the individual's retirement and who resided in Banff National Park on **JULY 30TH, 1981**; or
- v) an individual who is a student in full-time attendance at an educational institution that is located within the Banff National Park and registered under the *Income Tax Act* or applicable provincial legislation relating to education; or
- vi) the spouse or a dependent of an individual referred to in any of **Clauses 1(P)(i) to 1(P)(v)** above.

54.0 RESPONSIBILITIES

- The Banff Housing Corporation is responsible for:
- a) implementing, monitoring, and evaluating this policy.

5.0 COMPLIANCE MONITORING & ENFORCEMENT

BHC's Commitment to Compliance

BHC is committed to maintaining the integrity of its housing program. To ensure compliance with the Sublease Agreements, the BHC uses a complaint-based monitoring process, with active community involvement playing an important role. If a potential breach is identified—either through a complaint or through BHC's own review, the BHC reserves the right to investigate and take appropriate enforcement action as outlined in the Sublease. Members of the public are encouraged to report suspected misuse of a home or breaches of Sublease Agreements. All reports are kept confidential and may be submitted via:

1. The 'Confidential Comments' link at www.banffhousing.ca
2. The 'Contact Us' link at www.banffhousing.ca
3. Phone, email, mail, or in person at the BHC office

5.1 Violations

Examples of potential sublease violations include:

Formatted: Font: Aptos, 12 pt

Formatted: Font: Aptos, 12 pt

Formatted: Font: Aptos, 12 pt

Formatted: Font: Aptos, 12 pt

Formatted: Font: Aptos, 12 pt

Formatted: Font: Aptos, 12 pt

Formatted: Indent: First line: 0.25"

Administrative Policy

Banff Housing Corporation Sublease Enforcement Policy

Policy BHC-A-1007



- Failure to maintain primary residence status
- Non-compliance with Banff National Park residency requirements*
- Unauthorized rentals or subletting

** As BHC operates in partnership with Parks Canada, any complaints related to Banff National Park residency eligibility will be shared with Parks Canada. BHC will assist in investigations when requested.*

6.0 ENFORCEMENT PROCESS

6.1 Informal Enforcement

Where appropriate, BHC will first attempt to resolve issues through informal measures. This approach is focused on education and voluntary compliance. Steps may include:

- Issuing a warning letter that outlines:
 - The nature of the concern
 - Required corrective actions (e.g., signing a statutory declaration)
 - A deadline for compliance
- If the sub-lessee remedies the concern within the given timeframe, the matter is considered resolved
- If the issue is not addressed, BHC may proceed with formal enforcement

6.2 Formal Enforcement Under the Sublease

If informal efforts fail, BHC will follow the formal process outlined in Article 12: Default and Termination of the Sublease Agreement:

Step 1: Written Notice of Default

- Describes the specific breach in the Sublease Agreement (e.g., failure to maintain primary residency per Article 4)
- Provides a remediation period (minimum 15 days, or longer at BHC's discretion)

Step 2: Homeowner Remediation Period

- Sub-lessee must address the issue within the provided timeframe
- If compliance is achieved, no further action is required

Step 3: Sublease Termination

- If the breach is not remedied, BHC may terminate the sublease by written notice
- Notice must state the reason for termination and the effective date
- On that date, BHC may re-enter and take possession of the property

Formatted: Indent: First line: 0.5"

Formatted: Indent: Left: 0.5"

Formatted: Indent: First line: 0.25"

Formatted: Indent: Left: 0.25"

Formatted: Indent: First line: 0.5"

Formatted: Indent: First line: 0.5"

Formatted: Indent: First line: 0.5"

Administrative Policy

Banff Housing Corporation Sublease Enforcement Policy

Policy BHC-A-1007



Step 4: Payout Process

- Upon termination, BHC will initiate a payout in accordance with the terms outlined in Article 12 of the Sublease Agreement (based on equity share or price-restricted Sublease Agreements)

Formatted: Indent: First line: 0.5"

7.0 ANNUAL HOMEOWNER DECLARATION

To uphold the integrity of the BHC ownership program, all homeowners are required to submit an Annual Homeowner Declaration confirming compliance with key Sublease obligations. This declaration covers the following:

Primary Residency – Article 4 (a), (i)

(a) use the Lands for the sole purpose of the Primary Residence of the Sub-Lessee and shall occupy, use and maintain the Lands in accordance with the Town's by-laws and the following provisions:

Formatted: Font: Aptos, 12 pt

Formatted: Font: 12 pt

i) any dwelling upon the Lands shall be continuously occupied as the Primary Residence of the Sub-Lessee, except that the unit may remain vacant for a maximum period of SIX (6) consecutive months in any TWELVE (12) MONTH period, or such longer time as the Corporation may authorize in writing, during the Term of this Sublease:

Formatted: Font: Aptos, 12 pt

Banff National Park Residency – Article 4 (a), (iv)

(iv) all occupants of the Lands shall be Bona Fide Residents

Formatted: Font: 12 pt

Formatted: Font: Aptos, 12 pt

Insurance Requirements – Article 10 (B), (E)

B) Obtain and maintain insurance on the improvements constructed upon the Lands, to a full replacement value without deduction for depreciation and such insurance shall provide and include normal coverage for fire and extended perils or all-risk coverage. Such insurance shall insure both the Corporation and the Sub-Lessee as named insureds;

Formatted: Font: 12 pt

E) for each year during the Term of this Sub-Lease, the Sub-Lessee shall provide the Corporation with Certificates of Insurance or affidavits from the insurance company or companies confirming that the insurance referred to herein is in full force and effect;

Formatted: Font: Aptos, 12 pt

7.1 Notification and Submission

The Annual Declaration process is aligned with the annual administration fee cycle.

Formatted: Indent: First line: 0.5"

Notifications will be issued by **September 1** via:

Formatted: Indent: Left: 0.5"

1. BHC Newsletter (for subscribers)
2. Direct Mail (to address on file)

Administrative Policy

Banff Housing Corporation Sublease Enforcement Policy

Policy BHC-A-1007



Each notification will include:

- A declaration form and submission instructions
- A link to an online submission option for added convenience

Formatted: Indent: First line: 0.5"

6.0 PROCEDURE OR PROGRESS

6.1— Each sub-lessee must sign either a Sublease or Sublease Assignment when purchasing their BHC property:

6.2— BHC will take action to ensure that the obligations of the Sublease are being met. If the BHC becomes aware of a potential default of a sub-lessee's obligations by any means it will investigate and if necessary, advise a sub-lessee of the necessary action(s) required to correct that default. Actions as listed below:

Enforcement can be started either through the formal process in the sublease or informally with a warning letter:

If BHC wishes to start formal enforcement under the Sublease, the process set out in Article 12 (Default and Termination) is to be observed:

Determine the condition of the breach and identify their associated covenants in Sublease Article 4— Use of the Land (*example below; primary residence*):

4(a): use the Lands for the sole purpose of the Primary Residence of the Sub-Lessee...

4(a)(i): the Lands shall be continuously occupied as the Primary Residence of the Sub-Lessee

BHC commences enforcement by delivering a written notice of default as outlined in Article 12— Default and Termination:

Specifying the sublessees' breaches:

Specifying the time frame for remediation of the default, which must be a **minimum** of 15 days. BHC can authorize a longer remediation period at their discretion:

Upon delivery of the notice of default, the sublessees must remedy the default within the time specified (minimum of 15 days or length of time determined by the BHC):

Should the default be remedied, and compliance has been demonstrated, then no further enforcement steps need to be taken:

If the sublessee(s) do not remedy the breach within the time provided, BHC then has the option of terminating the sublease by providing written notice. The notice should specify the reason for termination and include the termination date. On the termination date, BHC can re-enter and take possession of the unit.

Administrative Policy

Banff Housing Corporation Sublease Enforcement Policy

Policy BHC-A-1007



On termination, BHC is required to payout the sublessee based on the parameters as outlined in Article 12 – Default and Termination as outlined under the equity share or price-restricted Sublease Agreements:

This policy shall be effective on the date it is approved by the Banff Housing Corporation Board:

Attached: Sample Sublease Agreement



Sublease.pdf

Administrative Policy

Banff Housing Corporation Sublease Enforcement Policy

Policy BHC-A-1007



Approved:		Administrative Responsibility:	BHC Administration
		Review Date:	December 5, 2024
Modified:		Next Review Date:	

1.0 POLICY

The purpose of the Banff Housing Corporation (BHC) is to help the Town of Banff maintain a healthy and balanced community by providing below-market homeownership opportunities to eligible residents of Banff.

All BHC homeowners are required to sign a Sublease Agreement or a Sublease Assignment Consent at the time of purchasing a BHC property. The Sublease Agreement outlines the terms and restrictions (eligibility, occupancy requirements, resale policies, etc.), that all owners must abide by for the duration of owning the BHC property. BHC is responsible for upholding the articles of these agreements. Failure to enforce this rule would compromise the BHC’s mandate and responsibilities to homeowners, resale applicants, and the community at large.

2.0 SCOPE

This policy applies to all BHC homeowners.

3.0 DEFINITIONS

- 3.1 The BHC Sublease is the legally binding agreement registered at Land Titles that outlines the roles and responsibilities of both the Owner (Sub-lessee) and the BHC in fulfilling the BHC’s mandate.
- 3.2 **Sub-lessee** (“homeowner”)
- 3.3 **Primary Residence** means the residence which is the place the Sub-Lessee ordinarily and continually occupies as his residence on a full-time basis, as determined by the Corporation.
- 3.4 **Banff National Park Eligible Residency Requirements** means
 - i) an individual whose primary employment is in Banff National Park; or
 - ii) an individual who operates a business, except a home occupation, in Banff National Park and whose presence at the place of business is necessary for the day-to-day operation of the business; or
 - iii) a retired individual who resides in Banff National Park and who, for five (5) consecutive years immediately prior to retirement:
 - a) was employed primarily in Banff National Park; or

Administrative Policy

Banff Housing Corporation Sublease Enforcement Policy



Policy BHC-A-1007

- b) operated a business in Banff National Park and whose presence at the place of business was necessary for the day-to-day operation of the business; or
- iv) a retired individual who resided in Banff National Park at the time of the individual's retirement and who resided in Banff National Park on **JULY 30TH, 1981**; or
- v) an individual who is a student in full-time attendance at an educational institution that is located within the Banff National Park and registered under the *Income Tax Act* or applicable provincial legislation relating to education; or
- vi) the spouse or a dependent of an individual referred to in any of **Clauses 1(P)(i) to 1(P)(v)** above.

4.0 RESPONSIBILITIES

The Banff Housing Corporation is responsible for:

- a) implementing, monitoring, and evaluating this policy.

5.0 COMPLIANCE MONITORING & ENFORCEMENT

BHC's Commitment to Compliance

BHC is committed to maintaining the integrity of its housing program. To ensure compliance with the Sublease Agreements, the BHC uses a complaint-based monitoring process, with active community involvement playing an important role. If a potential breach is identified—either through a complaint or through BHC's own review, the BHC reserves the right to investigate and take appropriate enforcement action as outlined in the Sublease. Members of the public are encouraged to report suspected misuse of a home or breaches of Sublease Agreements. All reports are kept confidential and may be submitted via:

1. The 'Confidential Comments' link at www.banffhousing.ca
2. The 'Contact Us' link at www.banffhousing.ca
3. Phone, email, mail, or in person at the BHC office

5.1 Violations

Examples of potential sublease violations include:

- Failure to maintain primary residence status
- Non-compliance with Banff National Park residency requirements*
- Unauthorized rentals or subletting

Administrative Policy

Banff Housing Corporation Sublease Enforcement Policy



Policy BHC-A-1007

**** As BHC operates in partnership with Parks Canada, any complaints related to Banff National Park residency eligibility will be shared with Parks Canada. BHC will assist in investigations when requested.***

6.0 ENFORCEMENT PROCESS

6.1 Informal Enforcement

Where appropriate, BHC will first attempt to resolve issues through informal measures. This approach is focused on education and voluntary compliance. Steps may include:

- Issuing a warning letter that outlines:
 - The nature of the concern
 - Required corrective actions (e.g., signing a statutory declaration)
 - A deadline for compliance
- If the sub-lessee remedies the concern within the given timeframe, the matter is considered resolved
- If the issue is not addressed, BHC may proceed with formal enforcement

6.2 Formal Enforcement Under the Sublease

If informal efforts fail, BHC will follow the formal process outlined in Article 12: Default and Termination of the Sublease Agreement:

Step 1: Written Notice of Default

- Describes the specific breach in the Sublease Agreement (e.g., failure to maintain primary residency per Article 4)
- Provides a remediation period (minimum 15 days, or longer at BHC's discretion)

Step 2: Homeowner Remediation Period

- Sub-lessee must address the issue within the provided timeframe
- If compliance is achieved, no further action is required

Step 3: Sublease Termination

- If the breach is not remedied, BHC may terminate the sublease by written notice
- Notice must state the reason for termination and the effective date
- On that date, BHC may re-enter and take possession of the property

Step 4: Payout Process

- Upon termination, BHC will initiate a payout in accordance with the terms outlined in Article 12 of the Sublease Agreement (based on equity share or price-restricted Sublease Agreements)

Administrative Policy

Banff Housing Corporation Sublease Enforcement Policy

Policy BHC-A-1007



7.0 ANNUAL HOMEOWNER DECLARATION

To uphold the integrity of the BHC ownership program, all homeowners are required to submit an Annual Homeowner Declaration confirming compliance with key Sublease obligations. This declaration covers the following:

Primary Residency – Article 4 (a), (i)

(a) use the Lands for the sole purpose of the Primary Residence of the Sub-Lessee and shall occupy, use and maintain the Lands in accordance with the Town's by-laws and the following provisions:

i) any dwelling upon the Lands shall be continuously occupied as the Primary Residence of the Sub-Lessee, except that the unit may remain vacant for a maximum period of SIX (6) consecutive months in any TWELVE (12) MONTH period, or such longer time as the Corporation may authorize in writing, during the Term of this Sublease;

Banff National Park Residency – Article 4 (a), (iv)

(iv) all occupants of the Lands shall be Bona Fide Residents

Insurance Requirements – Article 10 (B), (E)

B) Obtain and maintain insurance on the improvements constructed upon the Lands, to a full replacement value without deduction for depreciation and such insurance shall provide and include normal coverage for fire and extended perils or all-risk coverage. Such insurance shall insure both the Corporation and the Sub-Lessee as named insureds;

E) for each year during the Term of this Sub-Lease, the Sub-Lessee shall provide the Corporation with Certificates of Insurance or affidavits from the insurance company or companies confirming that the insurance referred to herein is in full force and effect;

7.1 Notification and Submission

The Annual Declaration process is aligned with the annual administration fee cycle. Notifications will be issued by **September 1** via:

1. BHC Newsletter (for subscribers)
2. Direct Mail (to address on file)

Each notification will include:

- A declaration form and submission instructions
- A link to an online submission option for added convenience