

# *The Home Adaptations for Seniors' Independence Program Regulations*

*Repealed*

by Chapter S-24 Reg 8 (effective July 9, 2003).

*Formerly*

Chapter S-24 Reg 7 (effective October 28, 1992).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

## Table of Contents

1	Title
2	Interpretation
3	Program established
4	Grants
5	Application
6	Eligible work
7	Ineligible residences
8	Commitments
9	Standards
10	Amount of grant
11	Maximum grant
12	Payment
13	False or misleading statements
14	Recovery of overpayment
15	Power to inspect

## CHAPTER S-24 REG 7

### *The Saskatchewan Housing Corporation Act*

#### **Title**

**1** These regulations may be cited as *The Home Adaptations for Seniors' Independence Program Regulations*.

#### **Interpretation**

**2(1)** In these regulations:

- (a) **“adaptation”** means a physical modification of a housing unit that is permanent and fixed to the unit and includes portable equipment that is designed to give access to existing facilities, but does not include supportive care, portable aids or household appliances;
- (b) **“applicant”** means an applicant for a grant;
- (c) **“CMHC”** means the Canada Mortgage and Housing Corporation;
- (d) **“commitment”** means a written undertaking to provide financial assistance with respect to a specifically identified housing unit;
- (e) **“core need income threshold”** means the income limits established annually by CMHC and SHC as representing the income beyond which it is considered possible, in a given housing market area or non-market area, to acquire an adequate and suitable dwelling for less than 30% of total household income;
- (f) **“eligible client”** means a senior who:
  - (i) resides in Saskatchewan;
  - (ii) subject to subsection (2), has a total household income that is less than or equal to the core need income threshold for the area in which the senior resides;
  - (iii) has an age-related condition or has diminished ability that can be helped by one or more of the adaptations described in clause 6(1)(a) or (b);
  - (iv) is the only member of the household who is an applicant; and
  - (v) owns, rents or resides in an eligible residence and, if the senior is not the owner of the eligible residence, has the written permission of the owner or the authorized representative of the owner to proceed with the adaptation for which a grant is sought;
- (g) **“eligible residence”** means, subject to section 7, a residential property that is used as a principal residence in which an eligible applicant lives;
- (h) **“grant”** means a grant pursuant to section 4;

HOME ADAPTATIONS FOR SENIORS'  
INDEPENDENCE PROGRAM

- (i) **“household”** means a person or group of persons who occupy a principal residence in Saskatchewan;
  - (j) **“mobile home”** means a home that is designed and built for year-round use with the capability of being moved from place to place;
  - (k) **“owner”** includes, with respect to a residence:
    - (i) the registered owner;
    - (ii) the purchaser under an agreement for sale;
    - (iii) a person who can provide evidence satisfactory to SHC that he or she is the beneficial owner of the residence;
    - (iv) the owner of a residence that is a mobile home; and
    - (v) a person who is deemed by SHC to be the owner for the purposes of these regulations;
  - (l) **“principal residence”** means a residence that:
    - (i) is occupied by an applicant for a total of 183 days or more in a year; and
    - (ii) meets local community standards of suitability for year-round occupancy;
  - (m) **“program”** means the Home Adaptations for Seniors' Independence Program established pursuant to section 3;
  - (n) **“senior”** means an individual who will be 65 years or older in the fiscal year in which the grant will be paid from moneys appropriated for the purpose;
  - (o) **“SHC”** means the Saskatchewan Housing Corporation;
  - (p) **“total household income”** means the total before-tax income from all sources of all persons in a household who are 15 years of age or older.
- (2) Subject to subsection (3), SHC may deem a senior whose total household income exceeds the level specified in subclause (1)(f)(ii) to be an eligible client.
- (3) Not more than 10% of all approvals pursuant to the program may be granted to persons deemed to be eligible clients pursuant to subsection (2).

6 Nov 92 cS-24 Reg 7 s2.

**Program established**

- 3(1) The Home Adaptations for Seniors' Independence Program is established to provide a one-time grant to assist low-income seniors who have difficulties with daily living activities in the home to carry out minor home adaptations and thus be able to continue living independently.
- (2) The fiscal year of the program is the period commencing on April 1 in one year and ending on March 31 in the following year.

6 Nov 92 cS-24 Reg 7 s3.

**Grants**

4 SHC may make grants in accordance with these regulations to eligible clients for eligible work performed with respect to eligible residences.

6 Nov 92 cS-24 Reg 7 s4.

**Application**

5(1) An applicant shall submit to SHC a completed application in the form supplied by SHC, together with:

- (a) any cost estimates that SHC may require with respect to the adaptation proposed to be done;
- (b) proof of total household income in any form specified by SHC;
- (c) proof of the applicant's age; and
- (d) a verification of disability form supplied by SHC that is completed and signed by the senior's physician, certifying that:
  - (i) the applicant's impairment is long-term; and
  - (ii) the proposed adaptation would lessen the restriction or inability of the senior to lead a normally active life independently.

(2) An applicant shall state on the application form:

- (a) where the applicant resides with one or more family members, the name and relationship of each family member with whom the applicant resides;
- (b) the legal description of the eligible residence;
- (c) details of the monthly income of each person who resides in the eligible residence and who is 15 years of age or older; and
- (d) any other information specified on the form.

(3) An applicant shall confirm his or her interest in the eligible residence in the manner and within the time required by SHC.

(4) Only one application per household may be made pursuant to the program.

6 Nov 92 cS-24 Reg 7 s5.

**Eligible work**

6(1) Subject to subsections (2) and (3), the following is eligible work:

- (a) any adaptation of an eligible residence that is necessitated by the particular impairment of an eligible client;
- (b) any adaptation of an eligible residence that:
  - (i) increases its level of safety;
  - (ii) is related to the eligible client's loss of ability; or
  - (iii) is necessary for the eligible client's continued independent living;
- (c) any labour to be performed with respect to an adaptation described in clause (a).

(2) Any adaptation that is commenced or completed prior to the applicant's receipt of written approval from SHC to proceed with the adaptation is not eligible work.

(3) Any adaptation for which an applicant has received or will receive financial assistance by way of grant, loan, subsidy or otherwise from the Government of Saskatchewan or the Government of Canada is not eligible work.

6 Nov 92 cS-24 Reg 7 s6.

**Ineligible residences**

7(1) Hospitals, nursing homes, residential care facilities, homes for the aged, rest homes, lodges, dormitories, company housing provided to employees, manses, rectories, monasteries and convents are not eligible residences.

(2) Residences with respect to which ongoing social housing subsidies from any level of government are being given, including subsidies or assistance given pursuant to the programs specified in subsection (3), are not eligible residences.

(3) The following programs established pursuant to the *National Housing Act* (Canada) are specified for the purposes of subsection (2):

- (a) Section 26 Rental;
- (b) Section 27 Non-profit;
- (c) Section 61 Co-operative;
- (d) Section 95 (Pre-1986) - (Global Public Non-profit; Global Private Non-Profit; Direct Public Non-profit and Direct Private Non-profit);
- (e) On-Reserve;
- (f) Section 95 ILM Co-op;
- (g) RNH - Homeowner Section 57-79-92;
- (h) Section 79 Federal/Provincial Regular;
- (i) Section 81-82 Public Housing;
- (j) Section 95 (Post-1985) - (Public Non-profit, Private Non-profit and Urban Native);
- (k) RNH - Rental Sections 79-92-95.

(4) Residences for which funding has been provided pursuant to the Residential Rehabilitation Assistance Program for the Disabled during the forgiveness earning period, as defined in the *National Housing Act* (Canada), are not eligible residences.

(5) Buildings that are being converted from non-residential use or other existing residential use to home ownership or rental accommodation for persons with disabilities are not eligible residences.

(6) In multiple-unit properties, only the interiors of dwelling units are eligible residences.

(7) Common areas and commercial parts of mixed-use properties are not eligible residences.

6 Nov 92 cS-24 Reg 7 s7.

**Commitments**

8(1) A commitment is made when an application is approved by SHC.

(2) Except where, in the opinion of SHC, extenuating circumstances exist, outstanding commitments will be cancelled at the earlier of:

- (a) 90 days after the commitment is made; or
- (b) the end of the fiscal year of the program.

6 Nov 92 cS-24 Reg 7 s8.

**Standards**

9(1) Subject to subsection (2), no grant shall be made for any eligible work unless SHC is satisfied that the adaptation will conform to *The Uniform Building and Accessibility Standards Act* and regulations made pursuant to that Act, after the adaptation is made.

(2) Where a particular adaptation is not addressed by the standards mentioned in subsection (1), SHC may make a grant if it is satisfied that the adaptation will meet any standards that SHC considers appropriate.

6 Nov 92 cS-24 Reg 7 s9.

**Amount of grant**

10(1) Subject to subsection (2), the amount of a grant that may be provided to an eligible client is the lesser of:

- (a) the maximum grant set out in section 11; and
- (b) the cost of the eligible work with respect to which the grant is made.

(2) The amount of a grant may be less than the amount described in subsection (1) where, in the opinion of SHC, a smaller grant would be appropriate in the circumstances.

6 Nov 92 cS-24 Reg 7 s10.

**Maximum grant**

11 The maximum grant available to an eligible client is \$2,500.

6 Nov 92 cS-24 Reg 7 s11.

**Payment**

12 A grant that has been approved by SHC is payable to the eligible client when:

- (a) the eligible work is completed;

- (b) the applicant presents to SHC invoices, bills or a completion certificate with respect to the eligible work that SHC is satisfied with; and
- (c) SHC has made any inspection of the eligible residence that it considers necessary.

6 Nov 92 cS-24 Reg 7 s12.

**False or misleading statements**

**13** Where, in the opinion of SHC, an applicant has made a false or misleading statement on any form or in any information or document provided to SHC pursuant to these regulations, SHC may:

- (a) cancel the approval of a grant to the applicant; or
- (b) declare that any amount paid or payable to the applicant pursuant to the program is an overpayment to the applicant.

6 Nov 92 cS-24 Reg 7 s13.

**Recovery of overpayment**

**14(1)** The amount of an overpayment is a debt due to Her Majesty in right of Saskatchewan where:

- (a) SHC has, pursuant to clause 13(b), declared that an applicant has received an overpayment pursuant to the program; or
- (b) for any reason, the applicant has received an overpayment pursuant to the program.

(2) An overpayment mentioned in subsection (1) may be recovered:

- (a) subject to the authorization of the Board of Revenue Commissioners pursuant to section 19 of *The Revenue and Financial Services Act*, by deducting the amount of the overpayment from any grants or tax credits to which the applicant would otherwise be entitled pursuant to the program or any other Act or regulation made pursuant to an Act that provides for payments to the applicant; or
- (b) in any other manner authorized by law.

6 Nov 92 cS-24 Reg 7 s14.

**Power to inspect**

**15(1)** SHC may, at any reasonable time, inspect a residence with respect to which an application or a grant is made to ensure that:

- (a) the proposed adaptations are eligible work; or
- (b) the adaptations carried out are in reasonable conformity with the proposed adaptations specified in the application.

(2) SHC is not liable to an applicant for any defect in inspection, any failure to inspect or any departure from the adaptations specified in the application.

6 Nov 92 cS-24 Reg 7 s15.