



CANADA MORTGAGE AND HOUSING CORPORATION

First Nation Communities

Code Compliance

The On-Reserve Non-Profit Housing Program (Section 95) currently requires First Nations to complete a declaration to attest that all units which are constructed or renovated are in conformity with the plans and specifications, the requirements of the National Building Code of Canada (or with a formally adopted code which meets or exceeds the NBCC), and with all other applicable zoning and building by-laws and regulations.

Effective April 1, 2014 all new commitments signed under the On-Reserve Non-Profit Housing Program (Section 95) requires the First Nation to submit a *Certificate of Building Code Compliance* to CMHC at different stages of construction.

The *Certificate* is to be completed and signed by the qualified inspector who conducted the code compliance inspection. The Certificate is to accompany the standard declaration form and will help to assure housing units built or renovated under the Section 95 Program have been constructed according to the National Building Code of Canada or an equivalent standard.

The code compliance inspections must occur, at a minimum, at the following stages of construction:

1. Pre-backfill inspection (foundation)
2. Pre-drywall inspection (framing, rough-in and insulation/vapour barrier)
3. Final inspection

Building plans and all supporting documents submitted to CMHC must also include a *Certificate of Building Code Compliance* from a qualified inspector or alternatively they must have the authorized professional seal of an engineer or architect.

A qualified inspector must have qualifications or certification to perform building code inspections from a recognized professional industry organization. A professional engineer or architect skilled in the work concerned is considered to be qualified to perform building code inspections and provides evidence that inspections have been undertaken by an independent qualified inspector.

Technical service providers currently undertaking progress inspections on behalf of CMHC do not play a role in code compliance inspections. The purpose of technical service providers is to conduct progress reviews to support loan advances for CMHC only. Notwithstanding, if technical service providers are qualified to conduct code compliance inspections, then the First Nation may consider them for this purpose. The First Nation will be responsible for engaging and paying for all services related to code compliance inspections.

Note that the costs of conducting building code compliance inspections, like fees of qualified professionals, are eligible expenses under the Section 95 program.

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