

Housing Nova Scotia Act

CHAPTER 213 OF THE REVISED STATUTES, 1989

as amended by

1990, c. 30; 2000, c. 13; 2005, c. 52; 2013, c. 10, ss. 5-8



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CHAPTER 213 OF THE REVISED STATUTES, 1989
amended 1990, c. 30; 2000, c. 13; 2005, c. 52; 2013, c. 10, ss. 5-8

An Act to Incorporate Housing Nova Scotia

title amended 2013, c. 10, s. 5.

Table of Contents

(The table of contents is not part of the statute)

	Section
Short title.....	1
Interpretation.....	2
Supervision of Act.....	3
Personnel.....	4
Delegation of administration.....	5
Housing Nova Scotia.....	6
Objects.....	7
Powers subject to approval.....	8
Powers.....	9
Housing Development Fund.....	9A
Not charge against Crown.....	10
Guarantee.....	11
Fiscal year and financial statements.....	12
Regulations.....	13

Short title

1 This Act may be cited as the *Housing Nova Scotia Act*. R.S., c. 213, s. 1; 2013, c. 10, s. 6.

Interpretation

2 In this Act,

(a) “Corporation” means Housing Nova Scotia as established pursuant to this Act;

(b) “Department” means the Department of Community Services;

(c) “housing” means any buildings or structures suitable for human habitation and which are primarily used for that purpose;

(d) “low income” means an income that, in the opinion of the Corporation, is insufficient to allow an individual or family with that income to obtain adequate housing;

(e) “low income housing” means housing for individuals or families of low income;

(f) “Minister” means the Minister of Community Services. R.S., c. 213, s. 2; 2013, c. 10, s. 7.

Supervision of Act

3 (1) The Minister has the general supervision and management of this Act.

- (2) Under the direction of the Minister, the Deputy Minister shall
- (a) supervise the administration and management of the Corporation; and
 - (b) perform such duties as the Minister or the Governor in Council assigns to him. R.S., c. 213, s. 3.

Personnel

4 (1) Such persons as are necessary for the administration of this Act and the regulations shall be appointed in accordance with the *Civil Service Act*.

(2) Notwithstanding subsection (1), the Minister may with the approval of the Governor in Council engage upon such terms and conditions as the Minister deems fit the services of such persons as the Minister deems necessary for the efficient carrying out of this Act and the regulations. R.S., c. 213, s. 4.

Delegation of administration

5 The Minister may, subject to the approval of the Governor in Council, delegate the administration of any function of the Corporation upon such terms and conditions as the Governor in Council may determine. R.S., c. 213, s. 5.

Housing Nova Scotia

6 (1) The Minister is hereby constituted a corporation sole under the name Housing Nova Scotia.

(2) For the purposes of this Act and in the exercise of the Corporation's power and the carrying out of the objects of the Corporation, the Minister is an agent of Her Majesty in right of the Province.

(3) Actions, suits or other legal proceedings in respect of any right or obligation acquired or incurred by the Corporation may be brought or taken by or against the Corporation in the name of the Corporation in the manner provided by the *Proceedings against the Crown Act* for an action against Her Majesty in right of the Province.

(4) All property acquired for any of the purposes of this Act vests in the Corporation as such corporation sole, but the provisions of this Section do not in any way restrict, impair or affect the powers conferred upon the Minister generally by this Act nor subject the Minister to the provisions of any Provincial enactment.

(5) The Corporation, its property and assets are not subject to taxation. R.S., c. 213, s. 6; 2013, c. 10, s. 8.

Objects

- 7 The objects of the Corporation are to
- (a) establish housing projects and construct housing accommodation of all types for sale or rent;
 - (b) plan, design, build, own, maintain, manage and operate housing projects;
 - (c) construct, acquire, renovate and maintain housing of all types and sell, lease or otherwise dispose of such housing upon such terms and conditions as may be determined;
 - (d) promote and carry out the construction and provision of more adequate and improved housing for
 - (i) low income families and individuals,
 - (ii) students,
 - (iii) such elderly persons or class or classes of elderly persons as may be designated by the Corporation,
 - (iv) families and individuals receiving social allowances or social assistance, and
 - (v) generally, persons or groups which in the opinion of the Corporation require assistance;
 - (e) improve the quality of housing; and
 - (f) improve the quality of amenities related to housing. R.S., c. 213, s. 7.

Powers subject to approval

- 8 The Corporation, subject to either specific or general approval of the Governor in Council, may for the purpose of this Act
- (a) assemble lands for housing;
 - (b) enter into and carry out agreements with the Province, the Government of Canada, a province or Canada Mortgage and Housing Corporation;
 - (c) do such other acts and things as are incidental to the attainment of its objects or the exercise of its powers. R.S., c. 213, s. 8.

Powers

- 9 (1) The Corporation may for the purpose of this Act
- (a) acquire or dispose of any estate or interest in real property and, without restricting the generality of the foregoing, may purchase, take on lease or exchange, hire or otherwise acquire any real or personal property of any and every description and sell, lease, mortgage, hypothecate, dispose of, deal with or invest the same and hold

such lands or tenements or interest therein as the Corporation may deem necessary or convenient for its purposes;

(b) enter into and carry out agreements with a municipality, a municipal housing corporation under the *Municipal Housing Corporation Act*, a private non-profit housing corporation, a corporation or a person;

(c) borrow on the security of the Corporation's real and personal property or either of them, or any part thereof, or on any other security or without security, such money as the Corporation considers necessary and mortgage, pledge or otherwise charge its real and personal property or either of them or any part thereof for the purposes of securing any money borrowed;

(d) guarantee payment of any mortgage, pledge or charge made by any person or of any loan made to any person;

(e) invest and deal with funds of the Corporation not immediately required in such securities and in such manner as the Corporation from time to time determines;

(f) make such payments as are required for its good management and operation;

(g) lend money in accordance with the regulations and, without limiting the generality of the foregoing, for the purpose of this Act or for a purpose for which the Minister may authorize or give financial assistance pursuant to the *Housing Act*.

(2) An acquisition or disposal pursuant to subsection (1) of any estate or interest in real property requires the approval of the Governor in Council where the property acquired or disposed of in a single transaction exceeds twenty-five acres.

(3) Every municipality may enter into agreements with the Corporation pursuant to this Act or the regulations. R.S., c. 213, s. 9; 1990, c. 30, s. 1.

Housing Development Fund

9A The Corporation shall, on or before March 31, 2000, purchase at book value all of the assets of the Housing Development Fund continued pursuant to the *Housing Act* and assume all of the liabilities of the Fund at book value. 2000, c. 13, s. 1.

Not charge against Crown

10 Notwithstanding any provision of this Act or any special or general Act, no mortgage, pledge or charge against the real and personal property of the Corporation shall be or be deemed to be a mortgage, pledge or charge against any real and personal property of Her Majesty in right of the Province. R.S., c. 213, s. 10.

Guarantee

11 Subject to the approval of the Governor in Council, the Province may guarantee payment by the Corporation of any mortgage, pledge or charge issued by the Corporation or of any loan made to the Corporation. R.S., c. 213, s. 11.

Fiscal year and financial statements

12 (1) The fiscal year of the Corporation shall be based on the fiscal year of the Province and the Minister shall ensure that financial statements for the Corporation are prepared not later than the thirty-first day of December in each fiscal year respecting the assets, liabilities and other financial matters related to the Corporation for the previous fiscal year, and that the financial statements are tabled at the next ensuing session of the Legislature.

(2) The accounts respecting the Corporation shall be audited and reported on by

(a) the Auditor General; or

(b) an accountant licensed under the *Public Accountants Act* upon appointment by the Corporation,

at least once every year and at such other times as the Governor in Council may direct. R.S., c. 213, s. 12; 2005, c. 52, s. 1.

Regulations

13 (1) The Governor in Council may make regulations

(a) respecting the management and supervision of the Corporation including, without limiting the generality of the foregoing, its seal and the execution of documents;

(aa) respecting the lending of money by the Corporation pursuant to Section 9;

(b) respecting any matter necessary or advisable to carry out effectively the intent or purpose of this Act and the regulations.

(2) The exercise by the Governor in Council of the authority contained in this Section shall be regulations within the meaning of the *Regulations Act*. R.S., c. 213, s. 13; 1990, c. 30, s. 2.