

BY-LAW NO. 6873

BEING A BY-LAW of the City of Brandon to establish a Home Renovation Tax Assistance Program of real property tax credits to encourage and assist in the renovation of residential premises in the City of Brandon.

WHEREAS Section 261.2 (1) of The Municipal Act, R.S.M. 1996, c. M225 authorizes the Council of a municipality to establish by-law financial assistance programs;

AND WHEREAS the Council of The City of Brandon has recognized the need to provide incentives to homeowners to encourage repairs and renovations to homes as a method of preserving housing stock;

AND WHEREAS the Council of The City of Brandon has deemed it necessary and expedient to pass a by-law for the purpose of establishing the terms and conditions for a tax assistance program that would encourage the repair of homes;

NOW THEREFORE the Council of The City of Brandon, in open session assembled, enacts as follows:

1. **INTERPRETATION**

This by-law is intended to provide an economic incentive for home renovation where the assessed value of the land and home does not exceed a determined amount and whose occupants have an annual family income that does not exceed the current median income.

2. **DEFINITIONS**

In this by-law,

- (a) **FINANCIAL ASSISTANCE** means a tax credit for municipal taxes.
- (b) **IMMEDIATE FAMILY MEMBER** means a spouse, parent, child, sibling, parent's parent, parent's sibling, child's spouse, sibling's spouse, child's child, sibling's child, spouse's parent, spouse's sibling, or spouse's sibling's child.
- (c) **MUNICIPAL TAXES** means the property taxes imposed for municipal purposes by the municipality.
- (d) **MUNICIPALITY** means the City of Brandon.
- (e) **OWNER** means a person who is the registered owner under The Real Property Act of land on which a building is located, or the granted thereof of a valid conveyance registered under The Registry Act, or an agent of either such owner.
- (f) **RESIDENTIAL UNIT** means a dwelling unit in a building that is used solely for residential occupation.

3. To be an eligible homeowner, a person must meet one of the following requirements at the time of application and at all times until the eligible renovation is completed:

- (a) the person must be the registered owner of the building in which the residential unit is contained; or
- (b) the person is someone other than the owner of the building in which the residential unit is contained who is able to show long-term uninterrupted occupancy of the residential unit and who does not pay rent;

and must occupy the residential unit on a year-round basis as his or her principle residence at the time of the application and at all times until the eligible renovation is completed.

4. Eligibility for financial assistance under this by-law shall be determined in accordance with the attached Schedule "A" – Home Renovation Tax Assistance Program Guidelines to this by-law.

5. Applications will be received on a first-come, first-served basis and shall be made in the form attached as "Schedule B" – Home Renovation Tax Credit Application Form to this by-law.

6. The maximum amount that can be claimed by a home owner for eligible standard renovations, as set out in Schedule "A" to this by-law, shall not exceed ten thousand dollars (\$10,000). The tax credit for eligible standard renovations shall be equivalent to 15% of the valuation of the eligible renovation.

**City of Brandon
Home Renovation
Tax Assistance Program Guidelines**

This program is designed to assist homeowners in the renovation of residential premises in the City of Brandon.

A. Eligibility

In order to receive a municipal tax credit under this program, an application must meet all of the following criteria:

1. The total assessed value as defined in Subsection (1) of The Municipal Assessment Act of the residential unit and the land on which it is situated shall not exceed sixty thousand dollars (\$60,000) for the year in which the application is made.
2. The occupants of a residential unit's total annual family income shall not exceed the current median income determined by Statistics Canada.
3. The applicant must have submitted all information required in the Home Renovation Tax Credit Application Form and supplied the Treasury Department of the City of Brandon with a completed income declaration form, supplied with the application form.
4. To apply for the Home Renovation Tax Credit, a City of Brandon Building Permit must be obtained before any renovations are commenced. Permits can be obtained by residents or their contracted representatives.
5. Proof of completion of the eligible renovation must be submitted inclusive of invoices for the amount expended for the eligible renovation with proof of payment.
6. All work must comply with all applicable zoning by-laws, design approval processes, etc.

B. Eligible Renovations

B.1 Eligible Standard Renovation projects include, but are not limited to:

1. Renovating any part of a residential unit that is used or will be capable of being used as year-round living space such as:
 - (a) renovating a kitchen;
 - (b) renovating a bathroom, including the purchase and installation of sinks, tubs and vanities; and
 - (c) finishing an unfinished basement.
2. Building an addition to a residential unit if the addition will be capable of being used as year-round living space.
3. Installing, repairing or upgrading a primary heating system, a plumbing system, an electrical system or a ventilation system, but not including an air conditioner.
4. Insulating walls or attics.
5. Reinforcing or repairing a foundation or basement or repairing or replacing weeping tile or other parts of the basement, including related excavation and landscaping.
6. Installing or repairing exterior sheathing.
7. Installing or repairing roofing, shingling, soffits, fascia or eavestroughing.
8. Installing or repairing doors or windows, excluding skylight windows.
9. Installing, repairing or upgrading a water or sewer system, including related excavation and landscaping.
10. Modifying or renovating a residential unit to accommodate a disabled person.
11. Renovations for reasons of safety or occupant health, or to ensure or maintain compliance with the Building Safety and Property Standards By-law of the City of Brandon.
12. Repairing a deck, verandah or garage.

The following are NOT eligible renovations under this program:

1. Building or repairing a fence, driveway, patio or sidewalk.
 2. Landscaping, except
 - (a) landscaping that is eligible under Section B.1 (5) or (9) above; or
 - (b) if the landscaping is necessary to ensure or maintain the structural integrity of the residential unit or to ensure or maintain compliance with any by-law of the municipality.
 3. Building, installing or repairing a play structure, swings, or swimming pool.
 4. Interior decorating, including the cost of purchasing and installing wallpaper, blinds and drapes.
 5. Interior or exterior painting, except
 - (a) painting that is part of a renovation or addition described in Section B.1 (1) or (2);
 - (b) if a safety or occupant health risk will exist if the painting is not carried out
 6. Purchasing, installing or repairing floor covering, except
 - (a) as part of a renovation or addition described in Section B.1 (1) or (2)
 - (b) if a safety or occupant health risk will exist if purchasing, installing or repairing is not carried out.
 7. Purchasing, installing or repairing any one of the following:
 - (a) a household appliance, whether it is built-in or free standing;
 - (b) skylight windows;
 - (c) a fireplace;
 - (d) a hot tub, spa or Jacuzzi;
 - (e) a secondary heating unit unless the unit is permanently installed as a primary heating source in a new living space;
 - (f) a heat pump, unless it is a primary heating source;
 - (g) an air conditioner or back-up generator;
 - (h) an air purification system;
 - (i) a radio or television antenna or satellite dish;
 - (j) a lawn sprinkler system;
 - (k) awnings or other exterior window coverings;
 - (l) any equipment or other thing that is not permanently affixed to a residential unit.
 8. Any modification to a residential unit to permit a non-residential use.
 9. Repairing a residential unit or part of a residential unit which has been damaged by fire, flood or other insurable risk.
 10. Constructing or repairing an adjunct or accessory building such as a greenhouse, gazebo or sunroom.
- B.2 Eligible Energy Efficient Renovation projects must meet or exceed Manitoba HydroPower Smart standards and guidelines and must fall within the following categories:**
- (1) Replacing primary heating system with a new ENERGY STAR high-efficiency furnace or boiler.
 - (2) Replacing a conventional heating and cooling system with a new geothermal heat pump.
 - (3) Replacing an existing natural gas or electric water heater with a more efficient unit.
 - (4) Adding insulation to attics, exterior walls, basements, crawlspaces or exposed floors.
 - (5) Repairing existing windows (except skylights) and exterior doors or replacing them with new units.
 - (6) Sealing, caulking and weather stripping to reduce air leakage.
 - (7) Upgrading an existing or installing a new ventilation system.

C. Eligible Costs

The following costs may be included in calculating the amount expended for eligible renovations:

1. materials;
2. contractor labour;
3. retail sales tax and goods and services tax;
4. drafting plans;
5. architectural plans;
6. applicable permit fees; and
7. legal and inspection fees.

Notwithstanding Sub-section C (2), the cost or value of labour that is carried out by the eligible homeowner or an immediate family member of the eligible homeowner will not be included in the calculation of the amount expended for eligible renovations.

D. Administrative Procedure

1. Application forms are accepted and reviewed on a first-come, first served basis and shall be made to the Treasury Department of the City of Brandon. Applications will not be accepted until all required information as outlined in the Home Renovation Tax Credit Application is supplied.
2. All required permits, certificates and other authorizations must be obtained before the project commences construction.
3. Before the release of any tax credits, the project must be completed and all outstanding taxes, utility charges or other property related amounts owing to the municipal government must be paid.

SCHEDULE "B" TO BY-LAW NO. 6873

HOME RENOVATION TAX CREDIT APPLICATION FORM

Please read the Program Guidelines and all instructions before completing this application form. Attach additional support material. Applications must be complete. Please type or print clearly.

Section 1. Applicant Information

- 1. Registered property owner's name: Telephone: Fax No: Email address: Address: Postal Code: Contact Person (if different from the registered property owner): Name: Representing: Address: Postal Code: Telephone: Fax No. Email address:

Section 2. Site Information

- 1. Civic address of the property Postal Code:
2. Roll Number(s) of property
3. Current Assessment Value of Property Land \$ Buildings \$

Section 3. Project Proposal

- 1. Planned project start date: Planned project completion date:
2. Briefly describe the scope of work of this project that you consider eligible for a grant from this program. To ensure the proposed renovations qualify as eligible renovations, where possible, please reference the relevant programs sections contained in Schedule A that apply to your planned renovations in your description.
3. What is the estimated value of the renovations to be undertaken?

By signing this application, the applicant confirms they have reviewed the program guidelines and BY-LAW NO. 6873, understand the contents and intent of the by-law and that the information provided in the application and supporting documents is true and accurate. Further the applicant agrees that should the information supplied to the City of Brandon prove to be false or inaccurate, resulting in ineligibility for the tax credit in part or whole, tax credits applied to the residential tax bill to date is owed to the City of Brandon.

Applicant's Signature Date

For internal use only: Application accepted by: Date:

This personal information is being collected under the authority of City of Brandon By-law No. 6873 and will be used for issuance of a home renovation tax credit. It is protected by the Protection of Privacy provisions of The Freedom of Information and Protection of Privacy Act. If you have any questions about the collection, contact Joni Swidnicki, Clerk's Department, 410-9th Street, Brandon, MB R7A 6A2, (204) 729-2210.