



SUMAS FIRST NATION

2788 Sumas Mountain Road, Abbotsford, BC V3G 2J2
Telephone: (604) 852-4041 · Fax: (604) 852-4048

CP/House Sale Offer

37481 Lakeview Drive, Abbotsford, BC
Semá:th (Sumas) First Nation: Lot 110
September 13, 2024
Cost: \$ 305,000.00



Property Features

- 0.203-acre lot
- 3 Bedrooms
- 2.5 Baths
- Modular Kitchen
- Garage with automated door
- Heat pump with central air conditioning



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The CP and house located at 37481 Lakeview Drive, Abbotsford, BC are for Sale. The one-and-a-half-year-old house on Sumas IR #6 completed construction under the Semá:th CP Law in 2023. The house and land were conditionally granted to a Sumas Member who defaulted on their mortgage payments. Semá:th took the home and land back as set out in the agreements.

As per the Semá:th CP Law and direction of the Chief and Council, the home and land are now being offered for sale to members of the Sumas First Nation. The Semá:th CP Law states that if there are no applicants by the immediate family, the offer will be extended to all Semá:th Community Members. We stress that all Semá:th Members who are interested and meet the criteria are encouraged to apply.

Anyone who purchases the home and land must take over the Conditional CP and mortgage loan with BMO. The purchase price is fixed at \$305,000.

This notice contains essential information for members wanting to purchase the house at the specific address of **37481 Lakeview Drive in Abbotsford, BC, IR6 Sumas First Nation**.

*As per Section 5.19 of the Semá:th CP Law, this posting is effective as of **Friday, September 13, 2024**, and expires 90 days later. Within 30 days of the end of the 90-day posting period, Semá:th will decide according to the application & selection process (described below).*

Members who wish to apply to purchase Lot 110 must follow the process outlined in this document. Please refer to the attached map showing the location of Lot 110 for a better understanding of the property's location.

Semá:th Mortgage Guarantee Fund

Semá:th has an "On-Reserve Housing Loan" agreement with the Bank of Montreal. Members can apply for up to \$275,000 to construct or purchase a single-family dwelling (excluding mobile or modular homes*). In addition to the Semá:th criteria listed in this notice, members must also meet the credit criteria established by BMO.

How do I apply for a Lot to buy/build my own home?

Step 1: Read the Semá:th CP Law and this entire document carefully, especially the Application Criteria and Selection Process. If you have any questions or would like a copy of the Semá:th CP Law, contact Jennette Pierre, Sumas First Nation Lands Manager, at 604-852-4041, or via email at Jennette.Pierre@sumasfirstnation.com or the law can be found on the Sumas First Nation website at [www.sumasfirstnation.com/Lands/Land Governance/CP Law](http://www.sumasfirstnation.com/Lands/Land%20Governance/CP%20Law)

Step 2: Determine how you will finance your home. If you require a mortgage, Semá:th Housing has information available: contact Nancy Murphy at Nancy.Murphy@sumasfirstnation.com

Step 3: In general, Members cannot apply for a new CP if they already hold one but there are exceptions. If you already hold a CP on Semá:th Lands, determine the following:



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- Is your CP zoned or designated in the Semá:th Land Use Plan for residential use?
- If your CP is zoned for residential use, are other members listed on the CP? Can you get their written consent to build on the jointly held CP lands?
 - a. If you have a CP that is not zoned or designated for residential use, or
 - b. If you have a CP that is jointly held with other member/s and cannot get their written consent to build on the jointly held CP lands, you may qualify for an exemption that allows you to apply for a new CP, or
 - c. If you have a CP in your name that is zoned residential but would like to exchange it for a new CP, you could also apply under Section 6 of the *Semá:th CP Law* to have your CP lands exchanged for community lands. This exchange is because Semá:th has prioritized members who do not currently have CPs. Qualifying for an exemption or voluntarily exchanging your CP land may help you apply for a new CP.

Step 4: Confirm with Semá:th that you are a member in good standing by contacting Neelum Buttar, SFN Finance Manager at 604-852-4041 or via email at: Neelum.Buttar@sumasfirstnation.com requesting a letter stating that you are a **member in good standing**.

Step 5: If you have met all the steps above, contact Nancy Murphy via email: Nancy.Murphy@sumasfirstnation.com to arrange a visit to Lot 110 located at 37481 Lakeview Drive, Abbotsford, BC.

Step 6: Submit an official Lot application using the template provided at the end of this notice along with all required documents as a **complete package**. Incomplete Packages will **not** make it into the application **accepted file**. Submissions can be submitted via mail to 2788 Sumas Mtn. Rd. Abbotsford, BC V3G 2J2 or can be submitted in person at the Lands Office 2788 Sumas Mtn. Rd. Abbotsford, BC, or electronically via email to Jennette.Pierre@sumasfirstnation.com

Note: The Semá:th *CP Law* was approved by the Chief and the Council on February 19, 2018. The Semá:th *CP Law* sets out the minimum requirements and the application criteria for members to apply for the foreclosed house.

Selection will be based on a first come, first served basis, of a **complete package submission which includes the criteria below (see Selection Process below for more information).**

- a) *Confirmation of mortgage eligibility/financing (required)*
- b) *Confirmation from SFN of being a member in good standing (required)*
- c) *Notarized Transfer Back form (required)*
- d) *Confirmation of initiation of land exchange under Section 6 of the Semá:th CP Law (if applicable)*
- e) *Evidence of previous applications to build on Semá:th Lands (if applicable)*



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Mortgageable

- All Members applying must have a pre-approved mortgage or funding or have applied for a mortgage pre-approval, demonstrating their mortgage ability.

Member in good standing

- All Members applying **must** be an SFN Member in good standing *and* remain in good standing, meaning they have no arrears/monies owed to Semá:th; *and*
- **Must not** carry out any illegal activity on Semá:th Lands including, but not limited to, illegally engaging in the production, processing or sale of illegal marijuana, narcotics or other substances listed in the federal *Controlled Drugs and Substances Act*.

Residential purposes only

- All Conditional CP's granted under the CP Law are for residential purposes only.

1/20th hold-back

- All new Semá:th CPs issued or granted under the CP Law must include a 1/20th holdback of the area of the CP's land in the name of Semá:th to provide for community uses in the future, e.g., gas, water, and sewer infrastructure, and maintenance of infrastructure.

All Semá:th members applying for or accepting a new Semá:th CP shall

- Be generally responsible for home maintenance on their Semá:th CP lands once they receive their Semá:th CP or conditional CP.
- Must specify the full legal names and addresses of any other Semá:th members with whom their Semá:th CP should be jointly held and whether the joint CP-holders should hold the CP as joint tenants or tenants-in-common.
- Make reasonable efforts to have a valid Will in place that specifies what happens with their interest in the Semá:th CP if they pass away.

Selection Process

Paragraph 35.3 of the *Semá:th Land Code* requires that Semá:th develop a process for allotting land that is **fair to all members**. The *Semá:th CP Law* re-affirms this requirement. By Resolution, Chief & Council have established the following selection criteria:

- The Lands Manager will accept applications, answer questions, and establish a secure and transparent system for recording and listing when applications are received, for coordinating, recording, and ordering of in person, mail-in, and on-line applications, and updating the list.

Semá:th will prioritize the following members for Lot selection

- Members who are Immediate Family to previous Conditional CP Holder and meet all criteria.
- Members who meet all the requirements including being able to get a mortgage or finance the purchase.



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- Members who do not currently have a CP on Semá:th Lands.
- Members who have a CP on Semá:th lands that is not zoned or designated for residential use.
- Members who have a CP zoned for residential use that is not solely in their name and who have not been able to get the written consent of all other joint CP-holders to build a home on the jointly held CP Land; or
- Members who have a CP in their name that is zoned for residential use but who have entered into an agreement to exchange their CP land under section 6 of the *Semá:th CP Law*.

First come, first serve

- Members who apply with a **complete application package in its entirety** first and who meet the eligibility requirements, and the priorities listed above will be listed first, and subsequent Members being listed in the order in which eligible applications are received, based on time and date stamps.
- Within 90 (ninety) days after the deadline for applications **December 12, 2024**, the Lands Manager will conditionally offer the Lot 110 to the eligible Member.
- If a member drops out of the process or becomes ineligible, the next member in line on the list may be selected.
- A Member who is on the list, meets all the criteria and requirements and completes and signs all the required mortgage and lands documents and agreements, shall receive a new conditional Semá:th CP for that parcel of land.

If there are no immediate family members who apply and who are eligible, Semá:th will move onto other eligible Members. We encourage all those who wish to apply for the house to apply.

What if I default on my mortgage or otherwise fail to meet conditions?

When you apply for your Semá:th Conditional CP, you will be asked to notarize a **Cancellation/Transfer-back Form at your expense**. This form will not be signed by Semá:th unless there is a default on the mortgage, or an otherwise un-remedied failure to meet conditions in the agreements. It's important to note that in such an event, Semá:th would sign the form and make it active in the FNLS and Semá:th would cancel the CP and evict the conditional CP-holder. As the applicant, you must have the Transfer-back Form Notarized and included in the application package. This form is attached to this CP/House sale notice.



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CP Application Letter template

Semá:th Lands
Department
2788 Sumas
Mountain Road
Abbotsford BC
V3G2J2

Re: Application to receive a new Semá:th CP on Lot #110, 37481 Lakeview Drive

Dear Lands Manager,

I hereby submit my application, as per the community notice posted on (INSERT DATE), to select the above noted Lot in order to

I have attached: (Choose one)

_____ Confirmation from the Bank of Montreal that demonstrates I have pre-approval for a mortgage OR

_____ I hereby confirm that I have applied to obtain my mortgage pre-approval and I believe in good faith that I am mortgageable OR I have alternate financing in place and have attached evidence to that fact.

_____ I have also attached a letter from Neelum Buttar, the Sumas First Nation Finance Manager, confirming that I am a member in good standing and have no arrears owing to SFN.

_____ I have also attached a Notarized Transfer Back Form.

I confirm that: (Choose one)

_____ I do not currently have a CP on Semá:th Lands OR

_____ I have a CP on Semá:th Lands but it is not zoned or designated for residential use, and I have initiated a land exchange under Section 6 of the CP Law as demonstrated in the attached document OR

_____ I have a CP with multiple persons' listed and I am not able to gain the written consent of all CP holders listed.

_____ (If applicable) I have previously applied for a Lot to build on, but at the time there was no CP Law in place under Land Code and no process in place to make Lots available to members. I've attached documents demonstrating that I've been waiting to build on Semá:th Lands.

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I also hereby confirm I am aware:

That I must not carry out any illegal activity on Semá:th Lands, including but not limited to, illegally engaging in the production, processing or sale of illegal marijuana, narcotics or other substances listed in the federal *Controlled Drugs and Substances Act*.

That if I am issued a new Semá:th CP, it is subject to the following conditions:

- The CP is for residential use only;
- That all new CP's issued under the Semá:th CP Law must contain a 1/20th hold-back of the area of the land of the CP, in the name of Semá:th to provide for community uses in the future;
- That I will be generally responsible for home maintenance and repair once I receive my Semá:th CP.

(If applicable) In addition to myself, the following Semá:th members will be listed on the new Semá:th CP:

Name: _____ Membership #: _____
 Name: _____ Membership #: _____
 Name: _____ Membership #: _____
 Name: _____ Membership #: _____
 Name: _____ Membership #: _____

(If applicable, mark your choice with an X) I hereby confirm that the jointly held Semá:th CP will be held as ___ Joint Tenants OR ___ Tenants-in-Common.

Finally, I confirm that I will make reasonable efforts to have a legally valid will in place to specify what happens with my interest in the Semá:th CP if I pass away.

Print Name: _____

Signature: _____

Membership #: _____

Date: _____

Print Witness Name: _____

Witness Signature: _____

Attached:

- Confirmation of mortgage eligibility/financing (required)*
- Confirmation from SFN of being a member in good standing (required)*
- Notarized Transfer Back form (required)*
- Confirmation of initiation of land exchange under Section 6 of the Semá:th CP Law (if applicable)*
- Evidence of previous applications to build on Semá:th Lands (if applicable)*