



PUBLIC NOTICE

Illegal drug use, drug trafficking, acts of violence or threats of violence in Wiikwemkoong Unceded Territory (WUT) Band Rental units will not be tolerated.

Under the direction of the Chief and Council, WUT is serving a notice to all individuals who are using and/or drug trafficking any illegal substance in Band Rental units will result in immediate eviction.

WUT is actively enforcing the RPM policy - 510 Eviction Procedures – Criminal Activity. A copy of this policy can be found on the Wiikwemkoong website, under the Rental Property Management section. A copy can also be requested at the Rental Property Management office.

Wiikwemkong Unceded Territory will not tolerate drug use, trafficking and/or crime.

Every community member has a role in keeping our community safe, please report any suspicious activity, criminal activity or if your home is being exploited, please call 9-1-1 or 705-370-3141.

Section: Termination of Agreements	Policy Number: RPM – 510
Sub-section: Eviction Procedures – Criminal Activity	Effective Date: January 1, 2016
Approved: BCM 491-2015	Revision Date: November 27, 2023
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EVICTION PROCEDURES – CRIMINAL ACTIVITY

Purpose:

To outline the policy and procedures used by Rental Property Management when ending a tenancy and terminating a rental agreement by way of an eviction for criminal activity.

Policy:

1. Any Tenant must acknowledge that the Rental Property Management is firmly committed to a Drug-Free policy for all of its Premises and Tenancies. Use and/or distribution of any illegal substance by a Tenant or occupant shall result in immediate termination of the tenancy. Any Tenant may be given an Eviction Notice if the Tenant or any member of the Tenant’s household or any guest of the Tenant participates in criminal activity, including illegal drug use, sale, distribution, or other criminal activity, on or near the premises. Evidence of criminal activity such as illegal drug use, sale, or distribution, or acts of violence or threats of violence, will result in immediate termination of Tenant’s tenancy. A criminal conviction is not required as proof of violation. Proof of violation by a preponderance of the evidence is required.
2. In order to proceed with an eviction based on illegal and/or criminal activity it must be proven by a preponderance of the evidence, which can but does not necessarily need to include the following:
 - a. video surveillance evidence criminal activity
 - b. inspection reports resulting in positive identification of criminal activity or drug paraphernalia: or
 - c. reports of individuals experiencing drug-induced mental/physical health crisis at a rental unit;
 - d. Any other evidence that would support illegal drug or other criminal activity occurring at the residence
3. A written Eviction Notice from the Rental Property Management under this section shall set out the grounds to vacate and shall provide an eviction date not earlier than
 - a. the tenth (10th) day after the notice is given, in the case of a notice grounded on an illegal act, trade business or occupation involving:
 - i. the production of an illegal drug or substance,
 - ii. the trafficking of an illegal drug or substance, or
 - iii. the possession of an illegal drug or substance for the purposes of trafficking.
 - b. the twentieth (20th) day after the notice is given, in all other cases
4. This notice is hand delivered to the Tenant by Rental Property Management staff. Rental Property Management staff will have the Tenant sign a service memo indicating that he/she received the Eviction Notice and the date and time the Eviction Notice was served.

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5. The Chief and Council are notified via written memorandum of the upcoming eviction(s) on the same date that the Eviction Notice is delivered to the Tenant. The memorandum includes the date and time the eviction will take place, but not the name of the Tenant.
6. The Wikwemikong Tribal Police are notified via written memorandum of the eviction on the same date that the Eviction Notice is delivered to the Tenant. Rental Property Management provides the address and the name of the tenant being evicted and the date and time that the evictions will take place to the Wikwemikong Tribal Police.
7. After the eviction date has passed, two Rental Property Management staff go to the Rental Unit to ensure the Rental Unit has been vacated and to change the locks on the Rental Unit.
8. If the Tenant is not at the Rental Unit at the time for eviction, Rental Property Management enters the Rental Unit; changes the locks; and ensures all windows are locked.
9. If the Tenant is home, Rental Property Management staff will advise the Tenant that he/she must immediately leave the Rental Unit, and then proceed to change the locks and ensure the windows are locked. If the Tenant refuses to leave, Rental Property Management contacts the Wikwemikong Tribal Police to have the Tenant escorted out of the Rental Unit.
10. After the Tenant has vacated the Rental Unit and Rental Property Management has secured the Rental Unit, a written notice is posted on the door of the Rental Unit, which indicates “Do Not Enter”, and that Rental Property Management has taken possession of the Rental Unit.
11. If the Tenant requires more time to vacate the Rental Unit, the Tenant must make prior arrangements through Rental Property Management before Rental Property Management attends at the date and time set out in the Eviction Notice to change the locks and secure the Rental Unit. Under no circumstances will a key to the Rental Unit be given to any former Tenant after the locks to the Rental Unit have been changed.
12. Any personal belongings left within the rental unit will be removed as per Section 513 – Abandoned Possessions of this policy.
13. The former Tenant is informed that he/she may reapply to Rental Property Management after twenty-four (24) months following the date of the eviction and provided the entire rental arrears are paid in full.
14. A Tenant has the right to appeal an eviction. (*Refer to Section RPM – 900 – Dispute Resolution and Appeals*).