
Legal Framework of the Proposed Arrangement

Agreement	Terms and Provisions
Agreement of Purchase and Sale between the Region or HYI and TSHSYR whereby the Region or HYI will purchase the property.	a. The Region or HYI to execute a Mortgage Assumption Agreement in respect of the current mortgage registered against the lands. b. TSHSYR will continue to be the owner of the current Home for Special Care licence. c. Because Porter Place is a social housing project, Ministerial consent is required under the SHRA to the sale of the property by TSHSYR to the Region or HYI, as well as to any subsequent lease of the property. d. If necessary, the above mentioned Agreements would contain a provision that would permit the assignment by the Region to HYI at the Region's sole discretion.
Operating Agreement between the Region or HYI and TSHSYR under which TSHSYR relinquishes certain of its rights and obligations under the SHRA to the Region or HYI in managing Porter Place.	a. Region/HYI to assume control over the capital repair budget and capital reserves of TSHSYR. b. Provisions to protect the Region/HYI in the event of a material breach by TSHSYR of its Homes for Special Care (HSC) licence. c. To contain similar provisions of the term of the Agreement as those in the Lease, as well as extension option
Lease between the Region or Housing York Inc. (HYI) and TSHSYR of the property to enable TSHSYR to continue to operate Lakeview Place, Porter Place and Leeder Place.	a. Three year term with option to extend for additional term of 3 years' duration provided not in breach. b. Nominal base rent of \$2.00 per year. c. TSHSYR responsible for operating costs and utilities. Region/HYI responsible for major capital costs. d. Shared responsibilities between Region/HYI and TSHSYR for operation and maintenance of the buildings. e. Breach by TSHSYR of Emergency Hostel Agreement, Operating Agreement or Homes for Special Care licence constitutes a breach of the Lease. f. The Region/ HYI assuming control over the construction of the new Leeder Place Family Shelter.
