

## REAL PROPERTY PROCEDURES

This document is produced by the Provincial Properties Committee, a subcommittee of the Provincial Finance Committee, under the auspices of the Provincial Council.

The overriding policy to which all Provincial Properties Committee guidelines adhere is Girl Guides of Canada Governance Policy 01-32-01 "Owned Property Improvement and Maintenance" dated October 25, 2014 and, Governance Policy 01-33-01 "Leased Property Improvement and Maintenance" dated October 25, 2014 which form part of this document.

**It is the responsibility of the council(s) responsible for a property and the corresponding area council(s) to ensure compliance with Girl Guides of Canada Governance Policy 01-32-01 "Owned Property Improvement and Maintenance" dated October 25, 2014 and, Governance Policy 01-33-01 "Leased Property Improvement and Maintenance"**

### STATEMENT

BC Guiding should capitalize on the use of its currently operating real properties and use them to the fullest for **Guiding Use** and the Guiding experience.

Each area or district can do this by:

1. Determining the **Guiding** use for which each property is best suited.
2. Developing the property to its full potential with the assistance of Guiding resources, and outside agencies.
3. Preparing a long-range plan, listing priorities and developing these as finances and other resources are available.
4. Developing campsites for year-round use, if feasible.
5. Maintain a record of all uses of the property; day, overnight, # of users, type of use, who are the users, charges for use, funds collected

The purpose of the procedures is not to inhibit the purchase or lease of real property, but to:

- (a) Prevent the acquisition of unnecessary or unsuitable property, and
- (b) Ensure that each area and district is aware of the long-term commitment, financial and other, that arises from property acquisition and that will be imposed upon our girls and volunteers in the future.

### REAL PROPERTY

From *GGC Bylaws*, June 1, 2005 (revised July 2011):

#### 4.12 REAL PROPERTY

The Corporation (Girl Guides of Canada – Guides du Canada) owns and leases all real property. The Board must approve all acquisitions, dispositions and leases of real property that will be held in the name of Girl Guides of Canada-Guides du Canada.

##### 4.12.1 DECLARATION OF TRUST

The Board will execute a declaration of trust in favour of the council on whose behalf such property is held. The council must declare in writing its acknowledgement and acceptance of responsibility for paying all taxes, rates, legal fees, insurance coverage and other charges of any kind having any connection with the property.

**4.14 SEAL**

The seal that bears the name “Girl Guides of Canada-Guides du Canada” is the corporate seal of the Corporation. Custody of the seal is the responsibility of the Board and the Board will determine its use.

All deeds and documents requiring the use of the seal must be signed by:

- (a) any two (2) Officers or
- (b) any one (1) Officer and one (1) Director

Any purchase, gift or other acquisition of real property or buildings must be approved by the applicable area council(s) and Provincial Council. Improvements (to existing properties) that are valued in excess of \$10,000 must be pre-approved by Provincial Council, and the Board prior to project commencement.

**DEFINITIONS** (applicable to the Real Property Procedures and all capital grants documents)

<b>Board</b>	Also known as the Board of Directors. The Board governs the affairs of Girl Guides of Canada-Guides du Canada and supervises, controls and directs all its activities. Directors are elected to the Board after a process of application and nomination determined by the Nominating Committee.
<b>Capital Improvement</b>	Betterment to a building or equipment, in excess of \$1,000 in cost, which extends its life or increases its usefulness or productivity. The cost of the capital improvement is added to the base cost of the asset improved and then depreciated, in contrast to repairs and maintenance, which are expensed currently. <i>Repairs: Work performed to return property to a former condition without extending its useful life, as distinguished from “capital improvement.”</i> <i>Maintenance: The work of keeping something in proper condition; upkeep.</i>
<b>Council responsible for property</b>	The area or district council under whose immediate jurisdiction real property falls. In the case of properties owned jointly by multiple councils, each such council is a “council responsible for the property.”
<b>Properties Committee</b>	The provincial committee responsible for overseeing matters relating to real property owned or operated by the Girl Guides of Canada in British Columbia.
<b>Real property</b>	A piece of land, a building or a subdivision thereof. For the purpose of this procedure, real property may be referred to simply as “property.”

PROCEDURES FOR LEASING, PURCHASING, DISPOSITION, INVESTING OR ENHANCING

Use the National Guide to Property Transaction Submissions, which is available <http://bc-girlguides.org/WEB/Documents/BC/bcfinanceforms/property-transactions-submission-form-guide.pdf>.

Provincial Council must be notified of the intention to lease\*, purchase\* or dispose of\* real property or invest money in any property improvement with sufficient time being allowed for an investigation to be made. Evidence of long-term planning must be shown and accepted by the Provincial Council and in compliance with national Governance Policy 01-32-01 (Owned Real Property Improvement and Maintenance) Governance Policy 01-33-01 (Leased Real Property Improvement and Maintenance) , before any action regarding the property can be taken by the council(s) responsible for the property.

**\* All leases must be approved by Provincial Council and the Board.**

Legal costs incurred in dealings with Provincial Council are the responsibility of the council(s) responsible for the property. Special cases where action has not been initiated by the council(s) responsible for the property may be referred to the Provincial Council to decide who should pay legal costs.

**Upon completion of any real property transaction, all original legal documents must be forwarded to the Executive Assistant at the provincial office for safekeeping.**

Provincial Council permission is not required prior to the purchase of assets that are not capital improvements as previously defined.

Each area council must appoint a delegate to any committee within its jurisdiction involved **in real property acquisition, disposition or improvement** to report directly back to the council on a continuous basis. This delegate would be a member of the committee **with vote**.

All Area Commissioners have signing authority (as an additional signing officer only) on accounts for **any committee involved in real property acquisition, disposition or improvement** at any council level.

#### **ACQUISITION OF PROPERTY**

**Preliminary steps to acquiring real property:** *Refer to Guide to Property Transaction Submissions*

(a) Notification of your need for real property (with valid reasons to substantiate this need), and permission to seek out a suitable property, must be obtained from the Provincial Council, **in writing**, prior to your search.

(b) Permission must be obtained in writing through the area, Provincial and National Council, **before** negotiations or any verbal or written agreements are entered into.

(c) The submission for permission to acquire real property should include complete financial statements for the council responsible for the property, the estimated purchase price, methods of supporting annual operating costs and maintenance. If land is involved, plans for long-term development and methods of financing these plans will be included. A map showing location, boundaries, terrain, etc., and legal description will also accompany the submission.

(d) Particulars, in full, of any gift of property must be reported to the Provincial and National Councils for advice before **any** action is taken.

(e) **When a document is submitted to Provincial Council for recommendation, Provincial Council may seek advice from their Legal Counsel** (with cost for same accruing to the local council). This is the case

even if the council responsible for the property has already had the document reviewed by a local lawyer. Rev. Sept. 2011 Real Property Procedures Page 5

(f) After recommendation is obtained from Provincial Council, the document will be forwarded to Girl Guides of Canada, Board of Directors, for approval, seal and signatures.

**(g) Only the Board has the authority to sign agreements for the purchase of real property. No other person, at any other level of Guiding, may sign any agreement for the purchase of property.**

### **OBTAINING PROVINCIAL COUNCIL APPROVAL FOR PROPERTY IMPROVEMENT**

Written approval of Provincial Council and the Board as set out in the Governance Policy 01-32-01 and 01-33-01 (Property Improvements) is required when the total cost of the project, including sanitary facilities, roads, docks, hydro, equipment, etc., **exceeds \$10,000 (including taxes)**. Use the **Projects Large Projects and Capital Grant Approval Application Form (B06F2)** for this purpose.

#### **Step 1**

The proposal must be submitted to the Properties Committee at least one month before the Provincial Council meeting, and at least three months in advance of your proposed commencement date. If you are applying for a capital grant, the request for approval must reach the Properties Committee one month (July 31) prior to the capital and large grant deadline (August 31), **where a maximum expenditure will be \$10,000 or greater.**

The submission of this proposal will include the following:

- (a) Detailed drawings and explanations of proposed building, renovations, and/or property development, e.g., types of construction, location of exits, fixtures, hydro and all other pertinent information to enable a complete overview of the proposal
- (b) A site map showing the location on site
- (c) The purpose for the building, renovation or other development
- (d) Three years of annual camping statistics, e.g., number of camps and campers
- (e) Budget for the project
- (f) Method of funding project
- (g) Full financial statements for the property, council(s) responsible for the property, and the area council(s) for the past three years.
- (h) Five year plan for the overall development and maintenance needs for the property.

#### **Step 2 (after Step 1 has been completed and accepted by the Provincial Council)**

After their area council's approval the council(s) responsible for the property will obtain and submit to Provincial Council, through the Properties Committee:

- (a) If purchasing property, an appraisal of the property, completed by an appraiser with an AACI designation, and an environmental checklist
- (b) If working on capital improvements, detailed written quotes from three appropriate source providers for the project

If all is in order, the proposal will be presented to the Provincial Council for consideration and approval. Provincial Council meets only four times per year, so sufficient lead time should be allowed for Provincial Council approval. For all improvements of \$10,000 or more, all project details and supporting BC Council motions will be forwarded by the provincial office to the Board for their approval.

### **Step 3**

A **Progress Report** should be submitted to the Properties Committee, including an itemized list of any accounts payable, an estimate of the cost to complete the project, changes to the original plan (if any) and the amount of money on hand.

### **Step 4**

Once the project or purchase has been completed, a **Claim Form** and **Final Report** must be submitted to the properties committee, outlining actual costs and verifying that there are no outstanding bills associated with the project.

## **PROCEDURES FOR GENERAL REPAIRS**

### **Repairs over \$10,000**

Repairs, in most cases, are needed immediately. If sufficient funds are available, it is not necessary to obtain provincial approval to effect these repairs; however, written notification to Provincial Council through the Provincial Properties Committee must be made within 30 days.

### **Repairs under \$10,000**

As it is good practice to maintain in good repair that which we own, Provincial Council approval is not required for maintenance under \$10,000. However, any significant repairs to Girl Guides of Canada properties are of importance, and should be reported to the Provincial Properties Committee upon completion.

## **CAPITAL GRANTS FOR CAMPSITES AND BUILDINGS INFORMATION SHEET**

- [Capital Grants Information Sheet](#) (Word) September 2014
- [Capital Grants Application Form](#) (Word) September 2014
- [Capital Grants Progress Claim Form](#) (Word) September 2014
- [Capital Grants Final Report](#) (Word) September 2014