

UNITED NATIVE AMERICAN HOUSING ASSOCIATION
Housing Department

ADMISSIONS
POLICY

The Admissions Policy for the UNAHA Housing Department was developed by the Director and staff, reviewed by the Housing Attorney. It was subsequently adopted by the Fallon Business Council by Resolution # _____ on _____, 2013 and goes into effect on _____ 2013.

This policy supersedes the United Native American Housing Association Housing Department Admissions Policy for the Low-Income Rental program and Mutual Help Program, dated _____ respectively.

I. INTRODUCTION

- A. The goal of the United Native American Housing Association (“UNAHA”) is to provide affordable housing opportunities for qualified families, in a safe and healthy environment. Towards that end, this policy outlines eligibility, the application process, criteria for admission, and criteria for rejection of applicants, administration of the waiting lists for housing, and assignment to units managed by the UNAHA Housing Department.
- B. This policy is also designed to:
1. Comply with Federal Housing Statutes and Regulations.
 2. Provide for consistent, fair, equitable, and uniform treatment of clients.
 3. Provide a basis for decision-making by UNAHA Housing Department management, staff, Members of the Housing Committee and Members of the Tribal Council.
 4. Serve as a guide for UNAHA Housing Department staff to use in determining eligibility, admission and selection criteria.
 5. Serve as a training and orientation manual for newly-hired staff and appointed Housing Committee members.
 6. Educate UNAHA Housing Department Clients and the public on the basis for UNAHA Housing Department Decisions.

- C. This policy is applicable to ALL Housing Department clientele, including but NOT limited to applicants, residents, renters, homebuyers, and program participants.

II. APPLICABLE PROGRAMS COVERED BY THIS POLICY ARE:

- A. RENTAL PROGRAM .
The Rental Program replaces what was previously known as the Department of Housing and Urban Development's ("HUD") "Low-Income Rental Program" or "Low Rent Program". The intent of this program is to provide affordable housing for low income families. This program offers a wide variety of single-family homes (2BR, 3BR, 4BR, 5BR) to qualified individuals on a month-to-month lease basis.
- B. HOMEOWNERSHIP PROGRAM .
The UNAHA Housing Department currently offers Homeownership under a program commonly known as "Mutual Help". Under this program, homes were totally financed and built by HUD with the UNAHA Housing Department serving as the Mortgage Holder per se. With the advent of Public Law 104-330 , titled the Native American Housing Assistance and Self-Determination Act of 1996 ("NAHASDA"), HUD no longer funds the construction of new homes under the Mutual Help program. The intent of the program was to provide low income families with an opportunity to own rather than rent a home. The UNAHA Housing Department shall continue to offer qualified individuals a *lease* with an option to buy any of the remaining single family homes in the Mutual Help inventory (as they become available).
- C. TITLE VI - LEASE/PURCHASE AND HOMEOWNERSHIP PROGRAM.
The UNAHA Housing Department also offers Homeownership opportunities under the Title VI Program. To obtain a home under this program, the homebuyer must be of Low- Income (as defined by HUD) and agreeable to a mandatory thirty (30) year lease-to-own status. At the end of that thirty (30) year period, the homebuyers are offered the opportunity to continue their month-to-month lease or buy out the balance of the mortgage on the home. Homeownership under the Title VI program will be administered in a manner similar to that of the old Mutual Help program.

III. INTERPRETATION

- A. This Admissions Policy has been designed to make UNAHA Housing Department Rental Lease Agreements and Homebuyer Agreements consistent with federal laws and regulations and to fulfill the *overall* program goals of the United Native American Housing Association.

Should any portion of this Admissions Policy conflict with federal laws (specifically, NAHASDA) or regulations (specifically, 24 CFR Part 1000), the federal law or regulation shall prevail.

IV. DEFINITIONS

- A. ADJUSTED INCOME** - (From NAHASDA at 25 U.S.C. § 4103(1)) - the term "adjusted income" means the annual income that remains after excluding the following amounts:
- 1. YOUTHS, STUDENTS, AND PERSONS WITH DISABILITIES.** - \$480 for each member of the family residing in the household (other than the head of the household or the spouse of the head of the household)-
 - a. Who is under 18 years of age; or
 - b. 18 years of age or older; and
 - c. A person with disabilities or a full-time student.
 - 2. ELDERLY AND DISABLED FAMILIES.** - \$400 for an elderly or disabled family.
 - 3. MEDICAL AND ATTENDANT EXPENSES.** – The amount by which three (3) percent of the annual income of the family is exceeded by the aggregate of:
 - a. Medical expenses, in the case of an elderly or disabled family; and
 - b. Reasonable attendant care and auxiliary apparatus expense for each family member who is a person with disabilities, to the extent necessary to enable any member of the family (including a member who is a person with disabilities) to be employed.
 - 4. CHILD CARE EXPENSES.** Childcare expenses, to the extent necessary to enable another member of the family to be employed or to further his or her education.
 - 5. EARNED INCOME OF MINORS.** - The amount of any earned income of any member of the family who is less than 18 years of age.
 - 6. TRAVEL EXPENSES.** - Excessive travel expense, not to exceed \$25 per family per week, for employment- or education-related travel.

7. **OTHER AMOUNTS.** - Such other amounts as may be provided in the Indian Housing Plan for an Indian Tribe.
- B. **AFFORDABLE HOUSING** - (From NAHASDA at 25 U.S.C. § 4103(2)) - The term "affordable housing" means housing that complies with the requirements for affordable housing under Title II. The term includes permanent housing for homeless persons who are persons with disabilities, transitional housing, and single room occupancy housing.
- C. **ANNUAL INCOME** - (From 24 § Part 1000.10) - The term "Annual income" Includes:
1. Wages, salaries, tips, commissions, etc.;
 2. Self-employment income;
 3. Farm self-employment income;
 4. Interest, dividends, net rental income, or income from estates or trusts;
 5. Social Security or railroad retirement;
 6. Supplemental Security Income (SSI);
 7. W-2, G.A.P., or other public assistance or public welfare programs;
 8. Retirement, survivor, or disability pensions; and
 9. Any other sources of income received regularly, including Veterans' (VA) Payments, unemployment compensation and alimony.

NAHASDA requires tribes to use one (1) of three (3) methods for determining a family's ANNUAL INCOME. HUD allows tribes the option of selecting just one as their "standard"; or "the one that best fits the needs of the family". In other words, one family could use one set of guidelines while a second family used a different set of guidelines. Details on all three (3) that are allowable by HUD are spelled out in the "NAHASDA Guidance Bulletin 99-02".

- D. **CHILD** - The term "Child" means a member of the family, other than the Head or Spouse, who is under eighteen (18) years of age.
- E. **CHILD CARE PAYMENTS** - the term "Child Care Payments" is broken down two ways.

1. **INCOME.** Child care payments RECEIVED are considered to be income for the purposes of determining ANNUAL INCOME.
 2. **EXPENSE.** Child care payments PAID OUT are considered to be an eligible expense for the purposes of determining ADJUSTED ANNUAL INCOME.
- F. **CLIENT** - The term "Client" means an individual receiving affordable housing services from the UNAHA Housing Department
- G. **DRUG - RELATED CRIMINAL ACTIVITY** - (From NAHASDA at 25 U.S.C. § 4103(3)) -The term "drug-related criminal activity" means, the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use, of a controlled substance (as such term is defined in Section 102 of the Controlled Substances Act, codified at 21 U.S.C. § 802).
- H. **ELDERLY FAMILIES AND NEAR-ELDERLY FAMILIES** - (From NAHASDA at 25 U.S.C. § 4103(4)) - The terms "elderly family" and "near-elderly family" mean a family whose head (or his or her spouse), or whose sole member, is an elderly person or a near-elderly person, respectively. Such terms include two or more elderly persons or near-elderly persons living together, and one or more such persons living with one or more persons determined under the Indian Housing Plan for the agency to be essential to their care or well-being.
- I. **ELDERLY PERSON** - (From NAHASDA at 25 U.S.C. § 4103(5)) - The term "elderly person" means a person who is at least 62 years of age.
- J. **EXTENDED FAMILY MEMBER** - The term "extended family member" means, a family that includes in one household, near relatives, in addition to a nuclear family. More specifically, the term may include an Aunt, Uncle, Son-in-Law, Daughter-in-Law, Sister-in-Law, Brother-in-Law, Niece, Nephew, Grandparent, Grandchildren, Stepsister, Stepbrother, and First Cousin who live with a nuclear family.
- K. **FAMILY** - (From NAHASDA at 25 U.S.C. § 4103(6)& 24 CFR § 1000.10) - The term "family" includes a family with or without children, an elderly family, a near-elderly family, a disabled family, and a single person as determined by the Indian tribe.
- L. **HEAD OF HOUSEHOLD** -The term "Head of Household" means the adult member of the Family who is legally and financially responsible for the Family as a whole. Furthermore, the "Head of Household" must be eighteen (18) years of age or legally emancipated by the State.

- M. **HOMEBUYER** - The term "Homebuyer" means a member or members of a low income family who have executed a Homebuyer agreement with the UNAHA Housing Department and who have NOT yet achieved homeownership.
- N. **HOMEBUYER AGREEMENT** - The term "Homebuyer Agreement" means the Homeownership Occupancy Agreement. See HOA below.
- O. **HOMEBUYER PAYMENT** - (From 24 CFR § 1000.10) The term "homebuyer payment" means, the payment of a family purchasing a home pursuant to a lease purchase agreement.
- P. **HOMELESS FAMILY** - (From 24 CFR § 1000.10) - The term "homeless family" means, a family who is without safe, sanitary and affordable housing even though it may have temporary shelter provided by the community, or a family who is homeless as determined by the Indian tribe.
- Q. **HUD** - (*Abbreviation*) - The abbreviation "HUD" means The United States Department of Housing and Urban Development.
- R. **IMMEDIATE FAMILY** -The term "immediate family" includes one's Father, Mother, Sister, Brother, Husband, Wife, Child, Father-in-Law, Mother-in-Law, Step Father, Step Mother, and Step Children.
- S. **INCOME** - (From NAHASDA at 25 U.S.C. § 4103(8)) - The term "income" means income from all sources of each member of the household, as determined in accordance with criteria prescribed by the Secretary, except that the following amounts may not be considered as income under this paragraph:
1. Any amounts not actually received by the family.
 2. Any amounts that would be eligible for exclusion under Section 1613(a)(7) of the Social Security Act, codified at 42 U.S.C. § 1382b.
- T. **INDIAN** - (From NAHASDA at 25 U.S.C. § 4103(9)) - The term "***Indian***" means, any person who is a member of an Indian tribe.
- U. **INDIAN AREA** - (From 24 CFR § 1000.10) - The term "Indian area" means the area within which an Indian tribe operates affordable housing programs or the area in which a Tribally Designated Housing Entity ("TDHE") is authorized by one or more Indian tribes to operate affordable housing programs.

V. **INDIAN TRIBE** - (From NAHASDA at 25 U.S.C. § 4103(10)) - The term "Indian Tribe" means a tribe that is a federally recognized tribe or state recognized tribe.

W. **LEASE HOLDER** – The term "Lease Holder" means, the individual who executes the dwelling lease. This can be a Rental Lease Agreement or a Homeownership Occupancy Agreement ("HOA").

X. **LIVE-IN AIDE** - The term "Live-in Aide" shall mean a person who resides with an elderly, disabled or handicapped person or persons and who:

1. Is determined by the UNAHA Housing Department to be essential to the care and well-being of the person(s);
2. Is NOT obligated for support of the person(s); and
3. Would NOT be living in the unit except to provide necessary supportive services.

A relative may qualify as a Live-in Aide if ALL of these conditions are met. An elderly, disabled or handicapped person needing the Live-in Aide does NOT have to be the head, spouse, or sole member of the family. Therefore it is NOT necessary to qualify as an elderly family in order to have a Live-in Aide. It should also be noted that a Live-in Aide does NOT qualify for continued occupancy as a remaining family member.

Y. **LOW-INCOME FAMILY** - (From NAHASDA at 25 U.S.C. § 4103(13)) - The term "low-income family" means a family whose income does not exceed 80 percent of the median income for the area, as determined by the Secretary of the Interior ("Secretary") with adjustments for smaller and larger families, except that the Secretary may, for purposes of this Paragraph, establish income ceilings higher or lower than eighty percent (80%) of the median for the area on the basis of the findings of the Secretary or the agency that such variations are necessary because of prevailing *levels* of construction costs or unusually high or low family incomes.

Z. **MEDIAN INCOME** - (From NAHASDA at 25 U.S.C. § 4103(14)) - The term "**median income**" means, with respect to an area that is an Indian area, the greater of-

1. The median income for the Indian area, which the Secretary shall determine; or
2. The median income for the United States.

- AA. **HOA** - (*Abbreviation*) - "HOA" is an abbreviation for Homeownership Occupancy Agreement. This is a legally binding contract, entered into between the Housing Department and participants of the Homeownership program, that Governs the terms and conditions of Occupancy in a home.
- AB. **NAHASDA**- "NAHASDA" is an abbreviation for the Native American Housing Assistance and Self-Determination Act of 1996.
- AC. **NEAR-ELDERLY PERSON** - (From NAHASDA at 25 U.S.C. § 4103(15)) - The term "near-elderly person" means, a person who is at least 52 years of age and less than 62 years of age.
- AD. **NON-PROFIT** - (From NAHASDA at 25 U.S.C. § 4103(16)) - The term "nonprofit" means with respect to an organization, association, corporations, or other entity, that no part of the net earnings of the entity inures to the benefit of any member, founder, contributor or individual.
- AE. **PERMANENT STAYS** - The term "permanent stay" means an occupancy in a leased home that exceeds thirty (30) calendar days. After obtaining housing, leaseholders often seek permission for others to live in their leased home. If that stay is going to be Permanent, then permission to do so must first be sought, from the UNAHA Housing Department Housing Director, by the leaseholder. Such requests require additional UNAHA Housing Department processing, review and approval as outlined within UNAHAthis Policy.
- AF. **PERSON WITH DISABILITIES** - (From 24 CFR § 1000.10) -The term "Person with disabilities" means a person who -
1. Has a disability as defined in Section 223 of the Social Security Act, codified at 42 U.S.C. § 423(d)(1);
 2. Has a developmental disability as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act, codified at 42 U.S.C. § 15002(8);
 3. Has a physical, mental, or emotional impairment which -
 - a. Is expected to be of long-continued and indefinite duration;
 - b. Substantially impedes his or her ability to live independently; and
 - c. Is of such a nature that such ability could be improved by more suitable housing conditions.

4. The term "person with disabilities" includes persons who have the disease of acquired immunodeficiency syndrome (AIDS) or any condition arising from the etiologic agent for acquired immunodeficiency syndrome.
5. Notwithstanding any other provision of law, no individual shall be considered a person with disabilities, for purposes of eligibility for housing assisted under this part, solely on the basis of any drug or alcohol dependence.
6. For purposes of this definition, the term "physical, mental or emotional impairment" includes, but is not limited to:
 - a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:
 - i. Neurological;
 - ii. Musculoskeletal;
 - iii. Special sense organs;
 - iv. Respiratory;
 - v. Speech organs;
 - vi. Cardiovascular;
 - vii. Reproductive;
 - viii. Digestive;
 - ix. Genito-urinary;
 - x. Hemic and lymphatic;
 - xi. skin;
 - xii. Endocrine; or
 - b. Any mental or psychological condition such as:
 - i. Mental retardation;
 - ii. Organic brain syndrome;
 - iii. Emotional or mental illness; and
 - iv. Specific learning disabilities.
 - c. The term "physical, mental, or emotional impairment" includes, but is not limited to, such diseases and conditions as:
 - i. Orthopedic, visual, speech, and hearing impairments;
 - ii. cerebral palsy;
 - iii. Autism;
 - iv. Epilepsy;
 - v. Muscular dystrophy;
 - vi. Multiple sclerosis;
 - vii. Cancer;
 - viii. Heart disease;

- xi Diabetes;
- xii. Human Immunodeficiency Virus infection;
- xii. Mental retardation;
- xiii. Emotional illness;

AG. **SERVICE AREA** - See "Indian Area" above.

AH. **SIGNIFICANT OTHER** - The term "Significant Other" *means* someone who is **NOT** married to, but is residing with another person who happens to be the one that executed the "*Lease Agreement*" with the UNAHA Housing Department.

AI. **TEMPORARY STAYS** - The term "temporary stay" means a stay that does **NOT** exceed thirty (30) calendar days. After obtaining housing, leaseholders often seek permission for others to live in their leased home. If the length of that stay is going to exceed thirty (30) calendar days, then permission for continued occupancy must be sought, from the UNAHA Housing Director, by the leaseholder.

Note: Stays beyond thirty (30) calendar days are deemed permanent and require additional UNAHA Housing Department processing. Review and approval will be in accordance with the procedures outlined in this Policy.

V. ELIGIBILITY FOR ADMISSION

- A. General.
The Rental and Homeownership programs, managed by the Housing Department are all funded and/or loan guaranteed by HUD. Under *NAHASDA*, these programs are intended to serve those families *who* are classified as low-income at the time of initial occupancy (see Section II, Paragraph Y of this document for HUD definition of low-income).
- B. Age Requirements. The applicant must be at least eighteen (18) years of age on the date the application is filed.
 - 1. Leases, rental agreements, HOAs and other legal documents must be executed by an adult.

2. The United Native American Housing Association recognizes those who are eighteen (18) years of age and older as adults.

C. Adding Additional Individuals to the Household Composition after Move-In.

1. From time-to-time, clients desire to add additional individuals to their Household Composition after they have moved into a unit.
2. Stays of up to seventy-two (72) hours do *NOT require* Housing Department permission.
3. Stays over seventy-two (72) hours require Housing Department permission.

The following procedures apply to those clients who want to add additional individuals to their household following assignment of a leased unit, move-in, and execution of the Rental Lease /HOA.

1. Temporary. If a leaseholder should later desire to have a friend or family member reside in his / her leased home, they may do so if they first seek permission from the Housing Director under a temporary stay clause.
 - a. The leaseholder must submit his / her written request to the UNAHA Housing Department, to the attention of the Housing Director, and identify whom they want to stay in the home, why, and for how long.
 - b. The Executive Director shall review the request.
 - i. If it is determined that the individual is *ineligible* for housing because of a criminal background problem, they owe the UNAHA Housing Department any money (outstanding debts), or other similar Rejection Criteria (as defined in Section VIII of this document), then the request shall be denied.
 - ii. If it is determined that the individual is *eligible* for housing, under ALL other criteria outlined in the Admissions Policy, then the request for a temporary stay may be approved.
2. Permanent. If a leaseholder should later desire to have a friend or family member reside in his / her leased home, they may do so if they first seek permission from the UNAHA Housing Director.
 - a. The leaseholder(s) must submit a written request to the UNAHA Housing Department to the attention of the

Housing Director, and identify whom they want to stay in the home and why.

- b. If there is more than one (1) signatory to the Rental Lease / HOA, then both must sign the request letter.
- c. The head of household must complete new "Household Composition / Income" forms and submit them to the Housing Department.
- d. The individual(s) to be added to the Rental Lease / HOA, if over eighteen (18) years of age, must sign the "Authorization for Release of Information" forms and submit them to the UNAHA Housing Department.
- e. The individual to be added to the Rental Lease / HOA, if over eighteen (18) years of age, must also complete a State of Nevada "Criminal History Record Request" form and return it to the UNAHA Housing Department.
- f. The Housing Director shall review all of the information on this individual(s) in a timely manner (not to exceed fourteen (14) calendar days from date of request). If they are found to be in compliance with the requirements of this Policy, then they shall be approved for permanent residence in the home.
- g. Following approval by the Director, the Resident Services staff shall prepare the necessary changes to the Rental Lease / HOA and have the leaseholder(s) sign / initial / date the changes on the lease (as applicable).
- h. Rationale.
 - i. the updating of the Rental Lease / HOA, is because the monthly Payments are (30) percent of the household income and thirty (30) percent of household income Homeownership (Mutual Help),
 - ii. When a person(s) stays beyond thirty (30) calendar days, they are reclassified as permanent members of the household.
 - iii. Pursuant to NAHASDA, the income of ALL household members has to be factored in to the monthly payment calculation.

necessary,
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for Rentals
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- 3. Impact on Rent / Homebuyer Payment calculations.

- a. Incomes for these individuals shall be verified in accordance with standard UNAHA Housing Department verification procedures.
- b. The incomes of these individuals shall be added to the TOTAL HOUSEHOLD INCOME used in the Rent / Homebuyer payment calculation process.
- c. Rents / Homebuyer payments shall be adjusted accordingly.
- d. In the event the individuals added are minors, the \$480 per child deduction shall only be applicable when proof of legal custody can be shown.
- e. Legal custody means a court order' assigning the child to the leaseholder.
- f. A hand written or typed note / letter that has been notarized, and passed from one adult to another assigning custody of a minor, DOES NOT constitute legal custody,

Commented [DCV1]: In Subsections 3(a) and 3(b) it is unclear what is meant by "these individuals" - does the phrase refer to new permanent household members or does it refer to both temporary and permanent new members? These Subsections should explicitly state who "these individuals" are. I would replace this phrase with the phrase "additional permanent household members" or "additional temporary and/or permanent household members" as appropriate.

Commented [DCV2]: See previous comment.

D. **Desirability.** Applicants shall be screened for desirability, using the criteria outlined in Section VIII of this document, prior to being assigned to a waiting list

Commented [DCV3]: It is not clear whether this should cross reference Section VII or Section VIII. Are the criteria for desirability simply the absence of the criteria for rejection, which are outlined in Section VIII? If this Paragraph is meant to cite to the Section on Application Review/Screening Process, that is Section VII.

E. **Discrimination.**

- 1. Because the programs managed by the Housing Department are publicly funded, the UNAHA Housing Department shall NOT deny anyone the opportunity to apply for these federally assisted housing programs.
- 2. Pursuant to NAHASDA, eligibility shall be focused on qualified Indian families with low-incomes.
- 3. Specific criteria, as outlined within this document, shall be used as the basis for assigning units managed by the Housing Department

F. **Enrollment Status.**

- 1. In order to be considered for housing assistance programs, managed by the UNAHA Housing Department, the applicant must be an enrolled member of the United Native American Housing Association.
- 2. Applicants may prove enrollment status by providing the UNAHA Housing Department with:

- a. A copy of their Fallon Paiute Shoshone Tribal Enrollment Card.
- or
- b. A letter from the Fallon Paiute Shoshone Tribal Enrollment office attesting to their enrollment status. The letter must include their name, date of birth, and enrollment number. Additionally, the letter must be signed by a Tribal Enrollment Office staff member in order to be valid.

G. **Family Test.** Those applying for Housing Assistance must meet the family test.

- 1. **Family.** An applicant must qualify as a Family, which is defined by the UNAHA Housing Department as:
 - a. Two (2) or more persons who are related by blood, marriage, or operation of law and who have evidenced a stable family relationship; or
 - b. A single person who lives alone and intends to live alone and does NOT qualify as an elderly family, displaced person, or remaining member of a tenant family; or
 - c. A single person who is elderly or near-elderly, handicapped, disabled, displaced, or the remaining member of a tenant family.
- 2. **Indian Family.** An applicant must qualify as an Indian Family, which is defined by the UNAHA Housing Department, as a family whose head of household (or Spouse / Significant Other) is an enrolled member of the United Native American Housing Association.
- 3. **Non-Indian Families.**
If an applicant qualifies as a Family but does NOT qualify as an Indian Family, the UNAHA Housing Department may determine the family to be eligible for Housing Assistance if the family demonstrates to the UNAHA Housing Department's satisfaction that their presence in the community is essential to the well-being of other Indian families and that their need for housing can NOT reasonably be met without participation in the UNAHA Housing Department's Rental Programs.

Non-Indian Families shall NOT be allowed to participate in any tribally sponsored Homeownership programs.

Commented [DCV4]: The phrase "elderly family" is not defined and is confusing. Is this a typo and should the phrase instead be "elderly person"?

H. Homeownership Training / Counseling.

1. As we rely on the private sector more and more to help finance new home construction for our HOMEOWNERSHIP programs, we have found that many lending institutions now require potential homebuyers to attend HOMEBUYERS TRAINING CLASSES.
2. As such, in addition to the above noted requirements, those individuals who are applying for any of the HOMEOWNERSHIP programs offered by the UNAHA Housing Department shall be required to complete a HOMEBUYERS TRAINING CLASS before they can be considered eligible for participation in a homeownership program.
3. These classes shall be sponsored by the UNAHA Housing Department and presented by a UNAHA Housing Department staff member.
4. These classes shall be at NO COST to the applicant.
5. These classes shall be offered at least once each month (and more frequently if there is sufficient demand).
 - a. The UNAHA Housing Department's Resident Services Specialist shall be responsible for scheduling applicants for this training and shall keep the Housing Director apprised of the applicant's status.
6. Applicants shall be advised, in writing, of the schedule for these HOMEBUYERS TRAINING CLASSES.
 - a. Applicants shall be offered one (1) of two (2) dates to complete the training.
 - b. The applicant must advise the Housing staff, within ten (10) business days of the notification letter, as to which date he / she will attend.
 - c. Failure of the applicant to respond to this notification shall result in his / her application being labeled "incomplete". That designation shall, in turn, prevent the UNAHA Housing staff from doing any further processing of the application.
 - d. An incomplete application means the Applicant shall NOT be placed on a waiting list(s).
 - e. Failure of the applicant to complete the class, when scheduled by the UNAHA Housing Department to attend, shall result in his / her being "ineligible" for the

HOMEOWNERSHIP program. The applicant may, however, re-apply again after thirty (30) calendar days. That application shall be processed as a new application.

I. **Income Eligibility Criteria / Guidelines.**

1. **Eligibility for Housing Assistance (Based on Income).** HUD and NAHASDA require that Tribes and/or TDHEs utilize the most advantageous of three (3) published methods for determining income eligibility. Those three (3) are:
 - a. Annual Income, as defined for HUD's Section 8 Program (24 CFR Part 5).
 - b. Annual Income, as reported under the Census Long-Form for the most recent available decennial Census.
 - c. Adjusted gross income as defined for purposes of reporting under Internal Revenue Service ("IRS") Form 1040 Series for Individual Federal Annual Income Tax purposes.
 - d. For ease of management, the UNAHA Housing Department has elected to utilize the HUD Section 8 Criteria as the basis for determining income eligibility for Housing Assistance programs, managed by the UNAHA Housing Department.
2. **HUD Section 8 Income Criteria.** The following is the Annual Income Criteria, as published in 24 CFR, Part 5, Subpart F (Section 5.609) that is utilized by the Housing Department.
 - a. Annual income means ALL amounts, monetary or not, which:
 - i. Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
 - ii. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual re-examination effective date; and
 - iii. Which are NOT specifically excluded in Section V, Paragraph I(2)(c) of this Policy.

- iv. Annual income also means amounts derived (during the 12- month period) from assets to which any member of the family has access.
- b. Annual income includes, but is NOT limited to:
- i. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
 - ii. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall NOT be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in IRS regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
 - iii. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in Section Section V, Paragraph 2(b)(ii) of this Policy. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;
 - iv. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in Section V, Paragraph 2(c)(xvii) of this Policy

- v. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in Section V, Paragraph 2(c)(iii) of this Policy;
 - vi. **Welfare Assistance.** If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:
 - 1. The amount of the allowance or grant exclusive of the amount specifically designated or shelter or utilities; plus
 - 2. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this Paragraph shall be the amount resulting from one application of the percentage;
 - vii. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;
 - vii. All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in Section V, Paragraph 2(c)(vii) of this Policy.
- c. Annual Income does NOT include the following:
- i. Income from employment of children (including foster children) under the age of 18 years;
 - ii. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);

- iii. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in Section V, Paragraph 2(b)(v) of this Policy
- iv. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- v. Income of a live-in aide, as defined in 24 CFR § 5.403;
- vi. The full amount of student financial assistance paid directly to the student or to the educational institution;
- vii. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- viii. Amounts received under training programs funded by HUD;
- ix. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a plan to attain self-sufficiency (PASS);
- x. Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
- xi. Amounts received under a resident service stipend. A resident service stipend is a modest amount (NOT to exceed \$200 per month) received by a resident for performing a service for the Public Housing Department ("PHA") or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are NOT limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. NO resident may receive more than one such stipend during the same period of time;

Commented [DCV5]: Is PASS the same of the plan? This parenthetical is unclear.

- xii. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;
- xiii. Temporary, non-recurring or sporadic income (including gifts);
- xiv. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- xv. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
- xvi. Adoption assistance payments in excess of \$480 per adopted child;
- xvii. Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
- xviii. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
- xix. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
- xx. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the

exclusions set forth in 24 CFR § 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.

3. **Estimating Income.**

- a. In some cases, an applicant (or his / her spouse, significant other, or other family member) may have only been working for a short period of time and has yet to establish a full twelve (12) month salary history.
- b. In those cases, the applicants' annual Household Income shall be determined by estimating the anticipated total income from ALL sources to be received by the head of household, spouse, and additional members of the family over the next twelve (12) months.
- c. For example:

The Head of Household is the only one in the family who is employed. He / she has only been working for the past three (3) months.

Earnings for the first month were \$1,525
Earnings for the second month were \$1,250 and
Earnings for the third month were \$1,800

Total income for that three (3) month period was \$4,575.

The three (3) month total (\$4,550) shall be divided by three to yield a monthly average of \$1,525.

The monthly average (\$1,525) is then multiplied by twelve (12) to get an estimated annual income of \$18,300.

4. **No Reported Income.** At times, clients fill out their Housing Assistance applications and indicate on them that they have NO INCOME. In those instances, the UNAHA Housing Department has the right to ask how they intend to pay for things.

- a. Applicants must be able to demonstrate (to the Housing Department's satisfaction) that they have the financial resources necessary to meet their monthly obligations. This includes Down Payment requirements (typically \$1,500 minimum for Homeownership), Security Deposits (typically \$200 minimum), Rent (\$75 minimum).

Commented [DCV6]: This should be clarified should be clarified by enumerating what those "things" are. For example, the phrase could instead read, "make rent or homebuyer payments and utilities payments as well as other housing costs".

Homebuyer Payments (\$100 minimum Admin Fee), propane, electricity and other utilities as applicable.

- b. Should an applicant indicate (on his / her Application for Housing), that he / she has NO INCOME, they shall be required to complete an Addendum to the Housing Assistance Application.
- c. The purpose of the Addendum is to ascertain how the applicant intends to meet housing expenses with NO REPORTED INCOME.

5. **Maximum Allowable Income.** The applicant must qualify as a low income family. That being, a family whose income does NOT exceed eighty percent (80%) of the median income for the area (i.e., State / County) or the National Average (for the United States). whichever is greater.

- a. Before an applicant can be considered for any HUD funded Housing Assistance programs, the UNAHA Housing Department staff must verify that the applicant's Household Income does NOT exceed the limits established by HUD.
- b. The UNAHA Housing Department staff shall consult the HUD income tables to help them determine if the family meets the low income threshold established by HUD.
- c. For purposes of determining low-income, HUD publishes income limits on an annual basis.
- d. The incomes, reflect GROSS Household income. HUD allows adjustments to that GROSS amount (which yields the adjusted income). for purposes of determining the applicants monthly payment.
- e. The table (below) compares the MAXIMUM allowable income limits set by HUD, Churchill County, against the National Average.
 - i. This table illustrates what is current, as of the publication date, of this document.
 - ii. Because the HUD income tables are updated annually, it is imperative that the UNAHA Housing Department staff utilize the most current table available.

Commented [DCV7]: There is no table inserted below.

Commented [DCV8]: There is no table inserted below.

f. Because the National Average is higher than Churchill County, HUD mandates that the UNAHA Housing Department utilizes the National Average. That is also illustrated on the table below.

Commented [DCV9]: There is no table inserted below.

g. To be eligible for Housing Assistance programs funded by HUD, and managed by the Housing Department, applicants CAN NOT exceed the National Average income limits.

6. **Maximum Allowable Income Limits (Exception).** The Housing Department may waive the maximum allowable income limit requirement under the following circumstances:

a. The applicant demonstrates, to the satisfaction of Housing Department management, that his / her need for housing can NOT be met without the Tribe's assistance.

b. Providing Maximum Income waivers is consistent with HUD regulations. See 24 CFR Sections 1000.106, 108, and 110, and PIH Notice 99-6, which detail the specific requirements for serving these families before they are approved for Housing Assistance of any kind.

c. Maximum Income waivers shall be handled on a case-by-case basis (through the standard UNAHA Housing Department Appeal Process) and require approval by the Tribal Council.

d. If ALL conditions outlined in the federal regulations are met, and the Tribal Council has approved the applicant's request for a waiver, the UNAHA Housing Department may move forward to provide the following types of assistance to non-low-income tribal families:

i. **Homeownership Activities** under Section 202(2) of NAHASDA, which may include assistance in conjunction with loan guarantees under the Section 184 Program (24 CFR part 1005).

ii. **Model Activities** under Section 202(6) of NAHASDA.

iii. **Loan Guarantee Activities** under Title VI of NAHASDA.

7. **Minimum Allowable Income.**

- a. In addition to qualifying as a low-income family (as defined in this document), applicants must also have Income sufficient to comply with the basic program requirements for which they are applying.
 - b. Housing Assistance program participants are required to satisfy obligations such as Minimum Rent, Administration Fees, User Fees, Utilities, Maintenance, etc.
 - c. Before an applicant will be considered for any Housing Assistance programs operated by the UNAHA Housing Department the applicant must demonstrate that he / she has the ability to meet those obligations.
8. **Minimum Allowable Income Limits (Exception).** Under certain humanitarian circumstances, the minimum income requirement may be waived.
- a. Such waivers shall be handled on a case-by-case basis (through the standard Appeal Process).
 - b. Such waivers require approval by the Tribal Council.
 - c. If selected, under a waiver, such applicants shall be required to sign a statement verifying that they are aware that they are below income and that they feel they are able to meet and maintain their monthly payment obligations.
 - d. Such applicants shall also be advised that failure, on their part, to maintain their monthly payment obligations is grounds for removal from the program and / or eviction (as applicable).
- J. **Indian Family.** An applicant must also qualify as an Indian Family, defined by the Housing Department as a family whose head of household or spouse is an enrolled member of the United Native American Housing Association.
- K. **Primary Residence.** The applicant shall utilize the home, acquired through or assisted by the UNAHA Housing Department as his / her primary residence.
- L. **Priorities for the Assignment of Housing.**
- 1. Other criteria notwithstanding (i.e., local laws regarding the leasing of Trust Land for Homeownership Programs), NAHASDA legally allows for low income Indian families to be given priority in

housing funded under the NAHASDA Indian Housing Block Grant ("IHBG").

a. Locally, that has been further defined as Enrolled Fallon Paiute Shoshone Tribe'. Assignment of units shall be based on the following priority order (as outlined in our Indian Housing Plan).

- i. Enrolled Fallon Paiute Shoshone Tribal Members, whose enrollment status has been verified.
- ii. If there are NO other Enrolled Fallon Paiute Shoshone Tribal Members waiting for housing, then units can be awarded to:
 1. Other Native Americans, whose enrollment status can be verified If there are NO other Native Americans waiting for housing, then units can be awarded to:
 2. All Others.

M. Impact on Enrolled Tribal Members who are Minors.

1. Eligibility for housing assistance, using the Enrolled Fallon Paiute Shoshone Tribal Member preference criteria, can be extended to minors under certain circumstances.
 - a. Typically, this would involve children (under 18) who are recognized as Enrolled Fallon Paiute Shoshone Tribal Member but reside with a non-enrolled parent / guardian who can show proof of parenthood, proof of legal custody or proof of legal guardianship.
 - b. The non-enrolled parent/guardian would be the temporary or interim leaseholder thereby assuring the underage tribal member has access to housing.

N. Waivers. These standards may be waived by the Fallon Paiute Shoshone Tribal Council upon appeal by the applicant, and with just cause.

VI. APPLICATION PROCESS

- A. **General.** The application is the basic record of each family / person applying for Housing Assistance. Each applicant shall be required to provide ALL information requested on the application and to sign ALL necessary forms, documents, and certifications. Information and statements made by the applicant are subject to verification.
- B. **Applications.** Families who desire to participate in a Housing Assistance program, managed by the UNAHA Housing Department, must begin the process with an application. A standard Housing Assistance Application form has been designed to gather enough information to allow a full assessment of the family's eligibility, consistent with Federal and Fallon Paiute Shoshone Tribal requirements at the time of submission.
- C. **Availability of Applications.** Applications are available, upon request, from the UNAHA Housing Department Receptionist, Monday thru Friday (8 a.m. to 5:00 p.m.). Applicants are encouraged to sign-in, on the clipboard at Receptionist window, when picking up their application.
- D. **Completing the Application.**
1. Applicants can take the application home with them to fill out, or they may request assistance from the Resident Services Specialist (or other UNAHA Housing Department staff) if so desired.
 2. The applicant is responsible for completing the application and signing it, using black or blue ink. The applicant is also responsible for providing ALL information requested and accurately completing the application.
 3. The applicant is required to respond to a variety of questions on the application. The responses to those questions are used to evaluate the applicant's eligibility and assignment to one (1) of several waiting lists. When filling out the application, applicants are encouraged to:
 - a. Print Neatly and Legibly;
 - b. Answer all questions by filling in the desired response(s);
 - c. Mark appropriate block(s); and
 - d. Provide narrative response(s) where requested.

Commented [DCV10]: It would be helpful to indicate the days and times that a Resident Services Specialist or other Department staff will be available to assist applicants.

4. Applicants are also encouraged to provide ALL documentation requested, to the UNAHA Housing Department Staff, in a timely manner. Failure to do so could delay processing of the application and placement on the appropriate waiting list(s).

E. **Supporting Documents.** When required to provide supporting documentation, applicants have two (2) options.

1. **Originals.** They may hand deliver the originals to the UNAHA Housing Department. UNAHA Housing Department staff shall make copies, attach them to the application, and return the originals to the applicant.
2. **Copies.** Copies are acceptable and they may be hand delivered or mailed (first class) to the UNAHA Housing Department office. The UNAHA Housing Department staff shall attach the copies to the application,

Commented [DCV11]: It might be helpful to indicate the address of the Housing Department office here.

F. **Examples of Information / Documents Required.** Examples, of the types of typical information and / or documentation required to support an application, are as follows:

1. **Assets.** Applicants are required to list their assets and value. For example:
 - a. **Physical Assets:** vehicle, home, trailer home, land, etc.
 - b. **Financial Assets:** Checking Account, Savings Account, Certificate of Deposit (CD), Stocks / Bonds, etc.
2. **Payment History.**
 - a. To help the UNAHA Housing Department staff evaluate payment history, applicants are required to provide general information on LOAN payment histories. This can be accomplished by providing the UNAHA Housing Department with copies of paid receipts, bank statements, etc.
 - b. Formalized Credit Bureau type CREDIT CHECKS shall NOT be done by the UNAHA Housing Department for Rental and/or Homeownership programs.
 - c. Lack of a credit history (as opposed to a poor history) shall NOT be sufficient justification to reject an applicant.

G. **Criminal Background Checks.** Criminal Background Checks will be done on each applicant and adult (listed on the Household Composition form) who is / are seeking Tribal and / or Federal Housing Assistance through the UNAHA Housing Department. The paperwork required to initiate the Criminal Background Check shall be completed at the time the application for Housing Assistance is filed. The original shall be submitted to the State. A copy shall also be forwarded to the Fallon Paiute Shoshone Tribal Police Department for a local records check.

1. **Authority.** The authority to do Criminal Background Checks is stipulated in NAHASDA and its implementing regulations).
2. **Purpose.** The purpose for the Criminal Background Check is to provide a means by which the UNAHA Housing Department staff can verify statements made by the applicant on his / her application for Tribal and / or Federal Housing Assistance. They are also used to ensure that the applicant, and / or his / her family members who intend to reside in the home, are NOT disqualified for Housing Assistance by one or more of the rejection criteria outlined in Section VIII of this document.
3. **Right of Refusal.**
 - a. While the UNAHA Housing Department can NOT force an applicant, or any member of his / her family who intends to reside in the unit, to submit to a Criminal Background Check, it is a critical and very important part of the screening process.
 - b. In the event an applicant or any member of his / her family who intends to reside in the unit refuses to submit to the State of Nevada Criminal History Record Request, then the application screening process shall be halted.

Without it, the UNAHA Housing Department staff will NOT be able to further process the application. In effect, this renders the application incomplete.
 - c. Incomplete applications result in the applicant NOT being placed on the waiting list for any Tribal and/or Federal Housing Assistance program managed by the UNAHA Housing Department.
4. **Validity Period.** Criminal Background Checks shall be valid for a period of six (6) months. If an applicant has NOT been placed

in a home within that six (6) month period, the Housing Department staff shall resubmit the Criminal Background Check.

5. **Viewing and Disposition.** Federal laws limit how Housing Department staff may use this information. The local guidelines listed here shall be adhered to.
- a. The UNAHA Housing Department Director (“Director”), shall review ALL Criminal Background Checks, returned by the State, as part of the application screening process.
 - b. Criminal Background Checks, that are returned by the State with NEGATIVE criminal background information, shall be marked "OK", dated, and initialed by the Director. A copy of the cover sheet shall then be forwarded to the Resident Services Specialist for inclusion in the applicants file. This allows the application screening process to move forward.
 - c. Criminal Background Checks that are returned by the State with POSITIVE criminal background information shall be retained by the UNAHA Housing Department Director. The Director shall review the report and decide if there are grounds (See Rejection Criteria in Section VIII of this document) for denying Housing Assistance to the applicant.
 - i. While there may be "criminal activity" noted on the report, it may be such that it does NOT warrant disqualifying the applicant. In that case, the Director shall mark the report "OK". A copy of the cover sheet would then be forwarded to the Resident Services Specialist for inclusion in the applicants file. This allows the application screening process to move forward.
 - ii. If the criminal activity were such that it warranted disqualifying the applicant, the Director would mark the report "NOT ELIGIBLE FOR HOUSING ASSISTANCE" and denote the applicable Rejection Criteria listed in Section VIII of this document. The Director would then forward a copy of the cover sheet to the Resident Services Specialist for inclusion in the applicant's file. The application screening process would be halted at that time.
 - d. In those cases where the applicant is going to be denied Housing Assistance, the Resident Services Specialist shall complete the applicant notification letter in accordance with Section 5, Paragraph 5.7 of this Policy.

Commented [DCV12]: It is unclear which provision of the Policy is meant by the citation to "Section 5, Para 5.7". Based on my reading of the Policy, I assume that the citation should instead be to "Section VII, Paragraph F(2)" or to "Section VIII, Paragraph G".

- e. The details of POSITIVE Criminal Background Reports shall NOT be reproduced.
- f. The details of POSITIVE Criminal Background Reports shall NOT be placed in the applicants file.
- g. The details of POSITIVE Criminal Background Reports SHALL be retained by the Director, in his / her office, and in a securable file drawer.
- h. The details of POSITIVE Criminal Background Reports shall be retained by the Director for a period of one (1) year or until no longer needed (which ever comes sooner). Reports shall then be destroyed (shredded) when NO longer needed.

H. **Custody of Minors (in case of Divorce, Legal Separation, other).**

Applicants who are divorced, legally separated, or have someone else's children, and who would NOT otherwise be eligible for Housing Assistance or are seeking a larger home (i.e., three bedroom vs. two bedroom) because of family size, must be able to provide proof that they have LEGAL CUSTODY (per court order) of ALL minor children listed on their application.

1. **Divorce.** Those who are divorced must be able to show that they have legal custody of their children.
2. **Legal Separation.** Those who are legally separated must be able to show that they have legal custody of their children.
3. **Other.** Those who have children, other than their own living with them, must be able to show that they have legal custody of those children.

NOTE: Generally speaking, the proof that is required shall be a court order that shows who has been awarded legal custody.

4. **Rationale.** This proof (court order) is necessary because in some instances applicants apply for Housing Assistance Programs and then inflate the household size by listing children (including their own and others) when in fact they do NOT have legal custody. This is often done in an attempt to qualify for larger homes and / or additional deductions, thus lowering monthly payments.

- I. **Employment Data.** Applicants (their Spouse / Significant Other and those over 18 who are employed) are required to list their current employer, status (full time / part time / temporary), employer's name and address, applicant's position / job title, and length of employment.
- J. **Expenses.** Applicants are required to list ALL expenses (rent, child care, child support, medical, educational, etc.). This information is used to determine eligibility, help determine adjustments to income and to help calculate monthly rent / homebuyer payments.
- K. **Extended Family Members.** Extended family member(s) listed on the application shall NOT be taken into consideration when determining dwelling unit size eligibility. See Section IV, Paragraph J. of this Policy for a definition of "Extended Family Members".

NOTE: This policy is necessary due to persistent fraudulent claims by applicants seeking larger dwelling units. After assignment of a dwelling unit, the extended family members either do NOT move in or move out in short order. In so doing, they deprive those families, who really need larger units, from obtaining them.

- L. **Household Composition.** Applicants are required to complete a "Household Composition" form (as included with the Application Package) that lists the names of ALL household members intending to reside in the unit. The relationship (to the applicant) of each person listed, along with Date(s) of Birth and Social Security Number(s) are required.
- M. **Household Income.** Applicants are required to disclose ALL sources of income for ALL Household members listed on the "Household Income" form (as included with the Application Package). This information is required because it is one of the KEY criteria used for determining eligibility and subsequent rent / homebuyer payments.
- N. **Income (Supporting Documents for Income Verification).**
 - 1. **Self-Employed.**
 - a. If an applicant is self-employed, the Housing Department staff shall provide him / her with an IRS Form 4506 "Request for Copy or Transcript of Tax Form".
 - b. This form must be completed, signed, and submitted by the applicant listing the UNAHA Housing Department as the recipient of the transcript so that the Housing Department staff can complete the INCOME VERIFICATION check.
 - c. There is NO cost for requesting this information from the IRS

- d. Applicants should also submit a copy (as applicable) of IRS Form 1040:
 - i. Schedule C "Profit or Loss from Business".
 - ii. Schedule E "Supplemental Income and Loss".
 - iii. Scheduled F "Profit or Loss from Farming".
2. Employed by Private, Tribal, State, Federal, or Other Employers.
 - a. Applicants who are employed by Private, Tribal, State, Federal or Other Employers in the local or surrounding communities can have their employment verified by using the UNAHA Housing Department's "Verification of Income" form.
3. ALL applicants, must sign two (2) "Authorization for the Release of Information" forms which authorize the UNAHA Housing Department to submit an INCOME VERIFICATION check, on the applicants behalf. See Section VI, Paragraph S of this Policy for further details on "Authorization for the Release of Information" forms.
4. The Income Verification check is done as part of the screening process to determine the eligibility of new applicants. It is also done for annual re-examinations and periodic (interim) reviews.
5. Applicants must meet the low-income criteria outlined in NAHASDA, 24 CFR Part 1000, and Section V, Paragraph I(5) of this Policy, to be eligible for those Housing Programs managed by the UNAHA Housing Department.

NOTE: Applicants must meet this "income" threshold criteria at time of entry into the program.

O. **Preference Areas.** Applicants should ONLY LIST THOSE AREA(S) THAT THEY REALLY WANT TO LIVE IN.

1. For Example:

If an applicant is only serious about living in a Rental unit in Eagles Nest Subdivision then they should NOT list anything else.

Once at the top of the list, there was an opening in Eagles Nest Subdivision and the unit was offered to the applicant.

The applicant would have to take the unit in Eagles Nest _____
Subdivision because it was a stated preference

2. Failure to take a unit, in an area identified as a stated preference, shall NOT result in removal from the waiting list(s), however, it shall result in the applicant being dropped to the bottom of the waiting list for that program (i.e. Rental) for which he/she had marked as a preference.
3. If the applicant were also on the Rental Assistance or Homeownership waiting lists, there would be NO change in status there because NO unit for those programs was offered.
4. **THE BOTTOM LINE:** IF AN APPLICANT DOES NOT WANT TO LIVE IN A PARTICULAR AREA, THEN IT SHOULD NOT BE LISTED AS A PREFERENCE ON THE APPLICATION. Processing an applicant for an area that he / she does not really want constitutes a waste of time for both the UNAHA Housing Department staff and the individual applicant. It also causes unnecessary delays in filling vacated units.
 - a. Applicants of the RENTAL and HOMEOWNERSHIP programs should place their selections in priority order (i.e. 1, 2 & 3) where applicable.
 - b. The UNAHA Housing Department shall only notify applicants when they have reached the TOP of the waiting list, for the area(s) that they have identified as a "preference". Applicants must bear in mind that units are awarded as they become available and may NOT always be in their first preference area.
5. **Identifying One's Preference Area(s).**
 - a. **Rental Program.** Rental housing is available in several geographical areas on the Fallon Paiute Shoshone Reservation and applicants may select **up to** three **(3)** preference areas. Applicants are reminded to select only an area(s) that they really want to live in. Options are:

Rental Area: Eagles Nest Subdivision
Spirit Winds Subdivision
Red Eagle Subdivision
Stillwater View Subdivision
Scattered Site

- b. **Mutual Help • Homeownership Program.** Like the rental program, homes are available in several areas on the Fallon Paiute Shoshone Tribe and applicants may select up to three (3) preference areas. Applicants are reminded to select only an area(s) that they really want to live in. Options currently available are:

Mutual Help Area: Eagles Nest Subdivision
Spirit Winds Subdivision
Red Eagle Subdivision
Stillwater View Subdivision
Scattered Site

- P. **Pregnancy Status.** Applicants seeking Housing Assistance, who would NOT otherwise be eligible or are seeking a larger home (i.e., three bedrooms vs. two bedrooms) because of the expected delivery of another baby, may present a written statement from their Doctor to verify that they are pregnant. This must include the name of the patient (i.e. applicant or family member) and anticipated delivery date.
- NOTE: Statements from the Doctor must be on Hospital / Clinic / Dr.'s stationary / letterhead and signed by the Doctor.
- Q. **Prior Housing Assistance.** Applicants are required to advise the UNAHA Housing Department about any Housing Assistance (i.e., Low-Income Rental Program, Section 8 / Voucher, etc.) that they are currently receiving or have received in the past.
- R. **References.** Applicants are encouraged to provide references who are willing to attest to an applicant's character as well as his / her previous rental and / or credit payment history.
- S. **Release of Information Forms.**
1. Applicants are required to sign and date two (2) forms that authorize the UNAHA Housing Department staff to request information concerning eligibility for Tribal and / or Federal Housing Assistance.
 - (a). The first of these is a UNAHA Housing Department form titled "Authorization for the Release of Information".
 - (b). The second is HUD Form 9886 titled "Authorization for the Release of Information / Privacy Act Notice".

2. Applicants must also agree to let the UNAHA Housing Department make copies of said authorizations (as needed). This form shall only be used to verify information pertinent to determining eligibility for Tribal and / or Federal Housing Assistance.
3. Failure, on the part of the applicant and any member of the household who is over eighteen (18) years of age, to sign these release forms shall preclude the UNAHA Housing Department from being able to process an application and thus render the application "incomplete".
 - a. Incomplete applications result in the applicant NOT being placed on the waiting list(s) for the Tribal and I or Federal Housing Assistance Program(s) that they are seeking with the United Native American Housing Association.

Commented [DCV13]: Because the instructions for HUD Form 9886 indicate that every member of an applicant's household who is 18 years of age or older must sign the consent form, "or" should be changed to "and", since both applicants AND all adult household members must sign before an application is complete.

T. **Rental History.** Applicants are required to provide general information on past / present Rentals. This should include the name of the person / agency from whom they rented, the dates (to and from) that they rented, the landlords / agencies address and phone number. If UNKNOWN, so state.

U. **Social Security Number.**

1. SSNs are required to verify a vast range of information relative to the processing of an application for Housing Assistance. The following is a list of some examples of how one's SSN can be used, but is NOT ALL inclusive.
 - a. Identifying the validity of the person in automated records.
 - b. Identifying the person in debt collection efforts.
 - c. Identifying the person in Criminal Record Check efforts.
 - d. Cross checking the identity of the person for participation in other housing programs.
 - e. Identifying the person in Social Security Records.
 - f. Identifying the person in Internal Revenue Service Records.
2. The applicant must furnish the UNAHA Housing Department with the SSN for himself / herself and each family member or person listed on the application.
3. Because of repeated problems with fraud and abuse by applicants (i.e. using another person's SSN), applicants are required to

provide the UNAHA Housing Department with the original card issued by the Social Security Administration for themselves, their spouse (significant other), ALL children planning to reside with them, and any other individual planning to reside with the applicant and his family.

- a. The original Social Security cards are required because they link the individuals name with his / her SSN.
- b. The UNAHA Housing Department staff shall make a copy, for its records, and return the original(s) to the applicant.

4. NO SSN Card.

- a. Adults. Those adult family members who do NOT have a SSN assigned to them, shall certify to that fact, and then immediately apply for an SSN.
- b. Minors. The Head of Household (or Spouse / Significant Other) must execute a certification that a family member, under eighteen (18) years of age either does *NOT* have an SSN Card or that they are going to apply for one immediately.

5. Continued Need for Verification of the SSN.

- a. Once a particular family member has documented his SSN, re-verification or re-documentation of the SSN is NOT required unless:
- b. The family adds a new member to the Household Composition. The new member must then disclose and document his/her SSN, certify that NO SSN has been assigned, or initiate the process to obtain one.
- c. If a family member is assigned a new SSN, then that family member must disclose and document his / her new SSN to the UNAHA Housing Department staff.

d. If a family member, who previously certified that NO SSN had been assigned to him, is subsequently assigned an SSN, then that new SSN must be disclosed and documented with the UNAHA Housing Department immediately. V.

Tribal Enrollment.

1. Applicants shall be enrolled members of the Fallon Paiute Shoshone Tribe.

2. The UNAHA Housing Department, Resident Services Specialist, shall verify the applicant's enrollment by checking the applicants name, SSN, and DOB against the Enrollment database provided by the Tribal Enrollment Office.

W. **Wage Assignment Form.** Applicants, who are employed, are encouraged to execute a "Wage Assignment" form to facilitate monthly Rent / Homebuyer payments. It is *NOT* mandatory to fill one of these out, however, it is to the applicant's advantage to do so. "Wage Assignment" forms that are filled out at time of application filing, shall NOT be sent to the applicant's employer until such time as the applicant is processed for a MOVE-IN and re-affirm that he / she still wants to utilize that payment method.

X. **Certification.** Prior to turning in the completed application, the applicant must certify that ALL information contained in the application is true and accurate to the best of his / her knowledge. Before doing this, applicants should review the "Things You Should Know" form which is included in the Application Package

Y. **Filing Applications.**

1. Completed applications should be turned in to the Housing Department. This can be accomplished by:

- a. Hand delivering them, in person, to the Receptionist or
- b. Mailing them to the Fallon Paiute Shoshone Housing Department located at:

2055 Agency Road
Fallon Reservation

2. Immediately upon receipt, it shall be the responsibility of the Receptionist to accept the application, annotate the date and time the application was filed (by using the UNAHA Housing Department "received" date stamp), initial it, and then forward it on to the Resident Services Specialist for processing.
3. Applicants should ensure that their application is properly received and stamped by the UNAHA Housing Department staff as this shall determine a ranking spot on the waiting list(s).
4. After an application has been received and stamped, the Resident Services Specialist shall start a file on the applicant.

Z. **Completed Applications.**

1. Completed applications shall be reviewed and processed by the Resident Services Specialist to determine eligibility and subsequent placement on the appropriate waiting list(s). This process is discussed in more detail in Section IX of this Policy.
2. The Resident Services Specialist shall verify ALL information on the application (as submitted by the applicant) that affects eligibility, Household Composition, selection, priority or preferences, annual income, unit size, determination of affordable rent / homebuyer payments, and housing need. This is also discussed in more detail in Section IX of this Policy.

AA. Confidentiality.

1. As with any public housing program, families are required to reveal personal information about themselves and their finances that most citizens are allowed to keep private, and usually choose to keep private.
2. In many ways, housing clients become vulnerable to harm through others' gossip and ridicule if information about them is NOT kept confidential by UNAHA Housing Department staff.
3. Applicants do NOT give up their right to privacy, simply because they are participating in a UNAHA Housing Department program.
4. UNAHA Housing Department staff shall respect applicants and residents by holding ALL information about them in the strictest of confidence.
 - a. Client information shall be used, by UNAHA Housing Department staff and Housing Committee members, ONLY when necessary to conduct their work and on a "need to know" basis.
 - b. Client information shall NOT be released to any individual Housing Department staff member, EXCEPT as is necessary to conduct their work and on a "need to know" basis.
 - c. Client information shall NOT be released to any individual Housing Committee member, EXCEPT as is necessary in the conduct of their work and on a "need to know" basis. Furthermore, such release of client information, to Housing Committee members, shall be LIMITED to release at duly called Housing Committee meetings.

- d. The violation of a client's confidentiality is grounds for immediate dismissal of the offending UNAHA Housing Department staff member and/ or removal from office by the offending Housing Committee member(s).

VII. APPLICATION REVIEW / SCREENING PROCESS

- A. **General.** After applications are received for; they shall receive a thorough review and screening by the UNAHA Housing Department Resident Services Specialist (or other individual so delegated by the Director) to ensure eligibility and compliance with the application process.
1. This review shall be initiated within five (5) business days of receipt of the application.
 2. A preliminary determination of "eligibility" or "non-eligibility" shall be made as soon as possible, but NO later than thirty (30) calendar days after the filing date of the application.
- B. **Verification Accountability.** The Resident Services Specialist shall use the "Application Verification Checklist" when reviewing applications. This checklist is used to ensure that action is taken on ALL required verifications.
- C. **Verifications.** The verification of ALL information that affects eligibility, household composition, selection, priority or preferences, annual household income, unit size, determination of affordable payments (rent / homebuyer payments), and housing need is required.
1. **Third Party Sources.** The preferred method of verification shall be written verification by a Third Party Source. In the event that third party verification can NOT be obtained, the UNAHA Housing Department may allow the applicant to submit other relevant information, provided that the submission contains a notarized statement, certification, or affidavit signed by the applicant that states the information submitted is true and accurate.
 2. **Acceptable Types of Records.** Complete and accurate verification records, consisting of, but NOT limited to, the following are to be maintained with the application.
 - a. **Certified Statements.** Certified Statements or summary data from a bank account, from self-employed persons, and from persons whose earnings are irregular, such as salesmen, taxi drivers, farmers, fishermen, seasonal workers, etc., setting forth gross receipts, itemized expenses and net income.
 - b. **Copies.** Copies of documents in the applicant's possession which substantiate his / her statements, or a brief summary of the pertinent contents of such documents

signed and dated by the UNAHA Housing Department staff who viewed them.

- c. **Letters.** Letters or other statements from employers, and other pertinent sources, giving authoritative information concerning ALL amounts of income.
 - d. **Memos.** Memoranda of verification data obtained by personal interviews, telephone, or other means, with source, date reviewed and the person receiving the information clearly indicated.
3. Sending Out Initial Verification Requests. The Resident Services Specialist shall send out a variety of Verification Request letters to help verify the applicant's statements and income.
4. Common Verification Request Types. The most common verifications requested, on behalf of the applicant, are:
- a. Child Care Payments can be used as an "adjusted income" factor.
 - i. A copy of the "Child Care Certification" form is included with the Standard Application Package so that the applicant can certify that he / she is paying Child Care, how much he / she is paying, and to whom he / she is paying it to. The UNAHA Housing Department staff shall use this to ascertain who the Child Care provider is and then seek verification from that person.
 - ii. The UNAHA Housing Department staff shall send a copy of the "Child Care Payment Verification" form letter to the Child Care provider identified by the applicant. The figures reported may then be used as an adjusted income factor. A copy of the "Child Care Payment Verification" form letter is included with the Standard Application Package.
 - b. Child Support Income Payments Certification.
 - c. Current Landlord Inquiry.
 - d. Employer Income Verification.
 - e. Previous Landlord Inquiry.

- f. Public Assistance Income Inquiry.
 - g. Social Security Income (SSI) and / or Supplemental Social Security Income ("SSI") Inquiries.
 - h. Unemployment Income Verification Inquiry.
 - i. Utility Company Inquiries.
5. **Furnishing Proof.** Applicants shall be required to furnish proof of their statements, when required by the UNAHA Housing Department staff, to reasonably assure accuracy of the information on the application.
 6. **Certifications.** Certification, by applicant's signature on the application, shall normally be considered sufficient verification of Household Composition, displacement, assets, residence, housing conditions, and need.
 7. **Earned Income.** ALL earned income shall be verified at the time of application, through the applicant's employer(s), or by reviewing the applicants IRS Form 1040 (Schedule E), IRS Form 4506, W-2 forms, check stubs, or other means to assure accuracy.
 8. **Un-Earned Income.** Unearned income shall be certified by reviewing checks, certificates of award, or other means to assure accuracy.
 9. **Disability Claims.** Those claiming disability, as defined in the Social Security Act, must show proof of such disability.
 - a. This would include a statement from the Social Security Administration for SS and SSI claims and from the State of Nevada for State disability claims.
 - b. Because neither the Social Security Administration nor the State of Nevada will honor UNAHA Housing Department requests for copies of AWARD LETTERS, it is the responsibility of the applicant to provide this information.
 - c. Check stubs from the State of Nevada are also acceptable.
 10. **Validity Period.** Pursuant to NAHASDA, applicants must be "income" eligible at time of entry into the program for which they are applying. Often times, applicants remain on waiting lists for extended periods of time, before openings are available for

them. In those cases, verifications shall be reviewed and re-submitted to ensure they are still eligible.

11. **HUD Funded Programs and Tribal Rentals.** Verifications, for HUD Funded programs, as well as Tribal Rental Properties, are considered to be valid for a period of NOT more than six (6) months.
 - a. If an applicant has NOT been placed in a HUD Funding Housing Assistance Program or a Tribal Rental prior to that, the UNAHA Housing Department's Resident Services Specialist shall re-submit the verifications to ensure they are still current.
 - i. Applicants found to be NO longer eligible shall be promptly notified. See Paragraph F(2) below for details.
12. **Retention of Verification Information.** The UNAHA Housing Department is required pursuant to NAHASDA to retain those records, upon which, it made its program eligibility determinations. As such, ALL documentation on verifications, shall be filed with the individual's application and shall become a permanent part of his / her UNAHA Housing Department record.

D. Failure to Respond.

1. If, after two (2) weeks, applicants and / or agencies have NOT responded to UNAHA Housing Department requests for verifications, the Resident Services Specialist shall attempt to ascertain the cause of the delay.
 - a. This can be accomplished through a telephone call and / or a follow-up verification letter.
2. In the event there is still NO response,
 - a. It shall be the responsibility of the applicant to personally contact the employer or agency involved and obtain the necessary verification information being sought.
 - b. Until the applicant obtains such verification data, the applicant's application shall be labelled "incomplete" and therefore NOT eligible for placement on the waiting list(s).
 - c. The Resident Services Specialist shall notify the client, in accordance with Paragraph E(1) below.

E. Correcting Problems Found on the Application.

1. Any problems, identified by the Resident Services Specialist during the screening process, shall be documented in a letter entitled "Notification of Non-Compliance", that is mailed to the applicant within ten (10) business days of identification of the problem.
2. Applicants shall be allowed fourteen (14) calendar days, from the date of the notification letter, to respond to and correct the deficiencies identified during the review process.
3. Failure of the applicant to properly complete the application and / or respond to the "Notification of Non-Compliance" letter shall result in the application being labeled "incomplete" and therefore NOT eligible for placement on the waiting list(s).

Commented [DCV14]: There is no time frame given for the Department's notification of non-compliance, while there is a time frame given for notifications of non-acceptance. I suggest this Subsection be amended by inserting the phrase, "within ten (10) business days of identification of the problem."

F. Notifications.

1. **Acceptance (Eligible).** Once ALL verifications have been returned to the UNAHA Housing Department, and it is determined that there are NO other disqualifying circumstances, the Resident Services Specialist shall promptly notify the applicant, in writing, that he / she is eligible for Housing Assistance and has been placed on the applicable Waiting List(s).
2. **Non-Acceptance (Not Eligible).**
 - a. Once ALL verifications have been returned to the UNAHA Housing Department, and it is determined that there are disqualifying circumstances, the Resident Services Specialist shall promptly notify the applicant, in writing, that he / she is not eligible for housing assistance and shall NOT be placed on the applicable Waiting List(s).
 - b. The Resident Services Specialist shall promptly notify applicants, determined to be ineligible or whose application has been rejected, of those findings and the reason(s) behind the decision.
 - i. This action shall be accomplished, in writing, within ten (10) business days of the UNAHA Housing Department staff rendering such a decision.

- c. Applicants who are notified that they are ineligible or *have* been rejected shall be advised of their right to appeal using the UNAHA Housing Department's appeal process.
 - i. To do this, they may request a private conference with the UNAHA Housing Department staff.
 - ii. Such requests must be made within ten (10) business days of the date the notification letter was mailed.
 - iii. An interview date must also be scheduled at the earliest convenience of both parties, NOT to exceed twenty (20) business days from the date the notification letter was mailed.
 - iv. Such requests, by the applicant, must be in writing.
 - v. Telephone requests, for appeals from applicants, shall NOT be accepted by the UNAHA Housing Department.
 - vi. At the appeal interview, the applicant shall be allowed to produce evidence, clarify information, and / or ask questions regarding eligibility.

- 3. **Correctable Non-Acceptance (Not Eligible) Criteria.**

Under some circumstances, applicants may NOT be immediately eligible for housing assistance, however, if they take corrective action, they may be.

 - a. Should an applicant have an outstanding debt with the UNAHA Housing Department, Sierra Pacific Power Company or other Utilities, the Resident Services Specialist shall promptly notify the applicant, in writing, that their application can NOT be processed until the debt is cleared with the debt holder.
 - b. Once notified, most applicants try and clear their debts with the UNAHA Housing Department or others (as indicated above).
 - c. When an applicant clears his / her debt, they must provide proof of payment to the Resident Services Specialist. A copy of said documentation shall be obtained and filed with the application to show that the debt was in fact cleared.

NOTE: The Resident Services Specialist should also file a copy of the payment receipt with the Administrative Secretary so that the UNAHA Housing Department database (on bad debts) can be updated.

- d. Applicants with verifications pending and / or require debts to be cleared, shall be withheld from the system temporarily for a maximum of three (3) months. If there has been NO response or attempt to clear the debt by the end of that three (3) month period, then the application shall be filed with the "incomplete" or "outdated" applications.

4. **Examples of Incomplete Applications.** The examples listed below reflect conditions under which an application might be deemed Incomplete and therefore not eligible for assignment to a Housing Assistance program waiting list(s).

- a. Refusal of the applicant, spouse (significant other), or other adults listed on the "Household Composition" portion of the application, to sign the HUD or UNAHA Housing Department "Authorization for Release of Information" form(s).
- b. Refusal of the applicant, spouse (significant other), or other adults listed on the "Household Composition" portion of the application, to submit the "Criminal Background Check" form(s).
- c. Refusal of the applicant, spouse (significant other), or other adults listed on the "Household Composition" portion of the application, to submit their SSN(s)
- d. Failure of the applicant to indicate ALL Household members who will be living in the housing unit.
- e. Failure of the applicant to list income from ALL sources for ALL members of the household identified on the Household Composition form.
- f. Failure of the applicant, spouse (significant other) to sign the application and / or writing their initials in those areas indicated on the application.

G. **Criteria for Rejecting an Application.** Certain information provided by the applicant, or determined by the UNAHA Housing

Department staff during its review and screening process, may be grounds for rejecting an application and denying access to Housing Assistance programs. Specific criteria for rejecting an application are outlined in Section VIII of this document.

H. **Client Notification of Rejection.** As outlined in Paragraph F(2)(b) of this Section, the Resident Services Specialist shall promptly notify applicants, determined to be ineligible or whose Housing Assistance application has been rejected, of those findings and the reason(s) behind the decision. See Section VIII of this document for details.

I. **Placement on Waiting Lists.** After applications are processed, determined to be complete, and the applicant eligible, the applicant shall be placed on the appropriate waiting list(s). This is explained in more detail in Section IX of this document.

J. **Application File Categories.** The UNAHA Housing Department shall maintain a file for each family completing an application. The application, along with ALL information supplied by the applicant, verification of information, and ALL relevant correspondence with the applicant, shall be retained in the file. During the screening / review process, applicants files shall be placed in one (1) of four (4) categories.

1. **Eligible.** This file contains those applications which have met initial eligibility requirements and the applicant has been placed on the waiting list for the Housing Assistance program(s) being applied for.
2. **Ineligible.** This file contains those applications which have NOT met initial eligibility requirements and have been determined to be ineligible for the Housing Assistance program(s) being applied for.
3. **Incomplete / Pending.** This file contains those applications which have NOT been sufficiently completed or verified to allow for a determination of eligibility to be made.
 - a. Applicants submitting an incomplete application shall be notified and given time to submit the missing information. ((See Section VII, Paragraph F(2) above for details))
 - b. Applicants are given fourteen (14) calendar days to respond.
 - c. If the information is NOT submitted within the fourteen (14) calendar day period, the application shall be placed in the inactive file.

Commented [DCV15]: There is no time frame indicated for notification of rejection. Paragraph F(2)(b) of Section VII does state that the Resident Services Specialist has ten business days to notify an applicant in writing that his/her application has been rejected. I suggest that we restate this here. This could be done by inserting the phrase "As outlined in Paragraph F(2)(b) of this Section" at the beginning of the first sentence and changing the capital "T" in "The" to a lower-case "t".

4. **Inactive.**

- a. This file contains those applications, which have NOT been updated within six (6) months.
 - i. Applicants, in this category, shall be removed from the waiting /list(s).
 - ii. Applicants shall have to re-apply for Housing Assistance program before they can be placed back on the waiting list. This is, in effect, the same as filing a new' application and starting the process all over again.
- b. Applications that remain Incomplete for more than thirty (30) Calendar days shall be placed in the Inactive file as well.

K. **Application Updates.**

- 1. ALL applications shall be updated as soon as there has been a change in either the applicant's housing situation / income or every six (6) months, whichever comes first.

NOTE: An updated application ensures the applicant retains his/ her standing on the applicable waiting list(s).
- 2. Application filing dates are used as the basis for determining time frames for UPDATES.
 - a. Applicants whose application is nearing the six (6) month expiration date shall be notified of the expiration date, by the Resident Services Specialist.
 - i. This notification shall be mailed (via first class mail) to the applicant, along with a new application form, at least two (2) weeks prior to the expiration date.
 - b. Applicants shall be allowed two (2) weeks to respond and update their applications.
- 3. Updates can be accomplished by one of two means:

a. In Person.

Commented [DCV16]: In Subsection 3(a), is the applicant permitted to cross out the original application entry, make changes, and date and initial the changes, or are only UNAHA Housing Department staff members permitted to make changes to applications on file?

- i. The applicant can come in to the UNAHA Housing Department Office and personally review the existing application. If changes are required, each change shall be:
 - 1. Made by lining through the original entry.
 - 2. Entering the corrected entry in ink along with a note in the margin to explain why the change was necessary.
 - 3. Dated / Initialed.
 - ii. The UNAHA Housing Department staff shall then update the applicable waiting list(s) (comments section) to show that the application was updated and the date it was updated.
 - b. **Re-submission.**
 - i. The applicant can complete a new application form and turn it in to the UNAHA Housing Department.
 - ii. The UNAHA Housing Department staff shall review the application, for any changes and file it with the original application.
 - iii. The UNAHA Housing Department staff shall then update the applicable waiting list(s) (comments section) to show that the application was updated and the date it was updated
- 4. Upon receipt of the updated application, the Resident Services Specialist shall:
 - a. Update the computer database (waiting list) to reflect the date the application was last updated.
 - b. Review the application to ensure the applicant is still eligible for housing assistance.

NOTE: An updated application ensures the applicant retains his/her standing on the waiting list(s).
- 5. If the applicant fails to update his / her application by the end of that two (2) week period, the Resident Services Specialist can make one last attempt (by phone) to contact the applicant in an

effort to determine the clients reasons for non-compliance. If there is still no response two (2) weeks following the renewal due date, the applicant shall be dropped from the waiting list(s) and the application shall be moved to the Inactive File.

6. After an application has been placed in the Inactive File, individuals may still re-apply for Housing Assistance. However, it shall be considered a NEW application and processed as such.

L. **Application Retention / Storage.** Pursuant to NAHASDA, housing files shall be kept for a period of three (3) years following close out. As such, the UNAHA Housing Department staff shall retain application files for a period of three (3) years after close out.

1. For example, if an applicant were determined to be ineligible the file would be kept for three (3) years. Those three (3) years is from the date the applicant was determined to be ineligible.
2. For example, if an applicant failed to update his / her applications and it was moved to the inactive file, then the file would be kept for three (3) years. Those three (3) years is from the date the application expired.

VIII. REJECTION CRITERIA

- A. UNAHA Housing Department Management is required by Federal Law (NAHASDA) to notify applicants, in writing, as to why their application for Housing Assistance has been denied. The purpose of this Section is to outline the UNAHA Housing Department's guidelines and criteria for rejecting or disapproving an application.
- B. UNAHA Housing Department Management reserves the right to reject the application of individuals, applying for Housing Assistance programs managed by the UNAHA Housing Department, in those cases where it is determined that admission of the applicant and / or any member of the household would be damaging to the health, safety or welfare of other tenants, or the financial stability or physical environment of the project.
- C. Individuals who already participate in Housing Assistance programs managed by the UNAHA Housing Department can have their Rental Lease Agreements/ HOAs terminated based on the Rejection Criteria listed here as well.
- D. After move-in, a head of household may request permission to add a family member (i.e., significant other, extended family member, friend, etc.) to the Household Composition and reside in the assisted unit. Such individuals shall be screened for suitability and where warranted denied access / participation based on the Rejection Criteria listed here.
- E. In order to help the UNAHA Housing Department staff / management determine whether an applicant should be denied Housing Assistance, the UNAHA Housing Department shall take into account the following factors:
 - 1. **Abandonment.**
 - a. Applicants who previously participated in a HUD assisted housing program (of any type), and who Abandoned the dwelling unit, shall NOT be eligible for any type of future Housing Assistance program, managed by the UNAHA Housing Department, for a period of two (2) years.
 - i. That two (2) year period begins on date of abandonment.
 - ii. Any debts incurred, as a result of that abandonment, would also have to be taken care of (see Debt Obligations below) prior to being

considered for any other type of Housing Assistance program.

2. **Confirmed Drug / Alcohol Addiction or Abuse.**

- a. **General.** Applicants who are confirmed to have a Drug / Alcohol Addiction / Abuse problem shall be permanently denied access to any type of Housing Assistance program managed by the UNAHA Housing Department. This denial would be based on evidence that confirms drug / alcohol addiction / abuse. For example:
 - i. A record of conviction for possession or use of methamphetamine, heroin, narcotics and/or any other controlled substances;
 - ii. A record of conviction for activity relating to the misuse of alcohol;

Or

 - iii. Written reports from a probation officer, a recognized public social agency, or the family itself to the effect that the individual is addicted to or is misusing drugs or alcohol.
- b. **Detection.** This type of information would normally be uncovered during the Criminal Background Check.
- c. **Exceptions:** In cases where the individual has undergone follow- up treatment by a professional agency, he / she may be considered for participation in any Housing Assistance program managed by the UNAHA Housing Department after a period of two (2) years has elapsed.
 - i. Such agency must confirm, in writing, that said individual(s) is rehabilitated and has not been involved in any further drug / alcohol misuse.
 - ii. The two (2) year period is calculated based on the most recent date of conviction.

3. **Criminal Activity.**

- a. **General.** Applicants who are known to have engaged in Criminal Activity shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department. This includes cases in which the

applicant or a member of the applicant's family, who is expected to reside in the affected household, was or is engaged in any criminal activity which involves crimes of physical violence to persons or property or the nature of which would be detrimental to the safety and welfare of other tenants or their peaceful occupancy of the premises.

- b. **Violent Crimes.** Anyone convicted of violent crimes shall be permanently ineligible for any type of Housing Assistance from the UNAHA Housing Department. (This is in-line with HUD's "ONE STRIKE" policy.) For the purposes of this policy, violent crimes' include, but are NOT limited to, the following: murder, assault with a deadly weapon, and/or any crime in which the victim is caused bodily harm as a direct result of the perpetrator's actions.
 - c. **Lesser Crimes.** Persons convicted of lesser crimes can be eligible for Housing Assistance again after the following criteria are met.
 - i. If after a period of two (2) years, and there are NO further instances of criminal activities, the individual may be considered for Housing Assistance programs managed by the UNAHA Housing Department.
 - ii. An agency (local, state or Federal) must confirm, in writing, that said individual(s) is NO longer involved in any type of criminal activity.
 - iii. The two (2) year period is calculated based on the most recent date of conviction.
 - d. **Detection.** This type of information would normally be uncovered during the Criminal Background Check.
4. **Debt Obligations** – Applicants who have Debt Obligations shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department. This includes any of the following situations where there was non-payment of a rightful obligation:
- a. **General.** Applicants who owe the UNAHA Housing Department (or other Tribal Programs, other Federal programs, private landlords, utility companies, etc.) a

Commented [DCV17]: In Subsection 4(a) of the same Paragraph, it is not clear what is meant by the parenthetical, "(other Tribal Programs, other Federal programs, private landlords, utility companies, etc.)". Is this Subsection meant to state that the applicant isn't eligible if he or she is in debt to these other programs or entities? If so, the word "or" should be inserted between the open parenthesis and the phrase "other Tribal Programs".

balance from present or prior occupancy shall NOT be considered for Housing Assistance until their account is PAID IN FULL and reasonable assurance is obtained that the contributing causes for nonpayment during the present or prior occupancy have been sufficiently changed to enable the family to pay when due, monthly Homebuyer payments, Rent and other expenses relating to the occupancy of the home.

- b. Repayment - Unmarried Couples. In those instances where two (2) unmarried individuals were the leaseholders, and an arrears balance was incurred, the arrears balance shall be split between the two (2) individuals.
 - i. If one (1) of the leaseholders pays his / her share of the arrears balance, he / she shall be considered for Housing Assistance.
 - ii. The arrears balance of the other individual shall NOT be held against the leaseholder who has paid his/her share of the arrears balance.
 - iii. In any event, the other former lease holder, with an unpaid arrears balance shall remain ineligible for Housing Assistance and can NOT be added to the Household Composition of any household under management of the UNAHA Housing Department, until such time as his / her arrears balance is PAID IN FULL.
- c. Repayment - Married Couples. In those instances where two (2) married individuals were the leaseholders, and an arrears balance was incurred, the arrears balance is considered to belong to the married couple. In other words, both are legally responsible for the debt and repayment of that debt.
- d. Repayment - Divorced / Separated Couples. Should there be a divorce or legal separation and one (1) of those individuals seeks Housing Assistance again, the applicant would only be required to pay his / her half of the arrears balance before being considered for Housing Assistance again.

- i. This approach to payment requires that there be legal documentation from the courts evidencing a divorce or legal separation.
 - ii. It shall be the responsibility of the applicant to provide the UNAHA Housing Department with a copy of the divorce decree or legal separation papers.
 - iii. In any event, the other former leaseholder, with an unpaid arrears balance shall remain ineligible for Housing Assistance and can NOT be added to the Household Composition of any household under management of the UNAHA Housing Department, until such time as his / her arrears balance is PAID IN FULL.
- e. Failure to Pay Debt after Move-Out.
 - i. In ALL instances, former UNAHA Housing Department leaseholders who move out and fail to pay their arrears balance within ninety (90) days of notification shall be INELIGIBLE for any Housing Assistance program for a period of five (5) years.
 - ii. The five (5) year time frame begins on the most recent move-out / eviction date.
- f. Pay-Back Agreements.
 - i. Former recipients of Housing Assistance often seek to address their arrears balances via Pay Back Agreements with the UNAHA Housing Department.
 - ii. Applicants who are signatories to Pay Back Agreements (to take care of previous account arrears) shall NOT be eligible any type of Housing Assistance program or placement on any Housing Assistance Waiting List(s) until such time as the debt is PAID IN FULL.
- g. Bad Debt Database. To help the UNAHA Housing Department staff monitor outstanding debts, a database shall be maintained by the Executive Secretary of the Housing Department that lists all former residents

/ program participants who owe the UNAHA Housing Department money. That database shall be updated on a regular basis but not less than quarterly. The report generated from the database shall be stamped "confidential" and controlled as such.

- h. Other Considerations. Applicants should bear in mind that in addition to the Debt Repayment obligations, they must also meet ALL other edibility criteria prior to re-admission to a Housing Assistance Program.

5. **Destruction of Property.**

- a. Anyone who has received Housing Assistance from the Housing Department, other State / Federal Housing Programs, or private landlords and is known to have intentionally Damaged or Destroyed the rental (or lease to own) property shall NOT be eligible for any type of Housing Assistance program, managed by the UNAHA Housing Department, for a period of two (2) years.
- b. That two-year period shall be based on the date of MOVE-OUT / EVICTION.

6. **Drug Dealers.**

- a. Anyone convicted of Dealing Drugs shall be permanently ineligible for any type of Housing Assistance program managed by the UNAHA Housing Department. This is in line with HUD's "ONE S T R I K E " policy.
- b. For the purposes of this subsection, "dealing drugs" shall mean manufacturing, distributing, delivering or selling with intent to distribute, deliver, or sell controlled substances contrary to the laws of the United States, or any state, or any federally recognized Indian Tribe.
- c. **Detection.** This type of information would normally be uncovered during the Criminal Background Check.

7. **Drug Possession.**

- a. Anyone convicted of Possessing Illegal Drugs shall **NOT** be eligible for any type of Housing Assistance program, managed by the UNAHA Housing Department, for a period of two (2) years.

- b. That two-year period being from the date of conviction.
 - c. Reinstatement of eligibility shall be based on a follow-up Criminal Background Check to ensure the applicant (or household member) has a clean record and **NO** pending court actions for similar drug offenses.
 - d. **Detection.** This type of information would normally be uncovered during the "*Criminal Background Check*".
8. **Evictions.**
- a. If it is determined that the applicant has been previously Evicted for non-payment or non-compliance with any Tribe / TDHE, Indian Housing Authority ("IHA"), Tribal or PHA policy, they shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department.
 - b. Applicants with EVICTIONS on their records (as noted here) shall not be eligible for any type of Housing Assistance for a period of two (2) years.
 - c. That two (2) year period being from the date of eviction.
9. **Failure to Cooperate** - By Failing to cooperate with the application process, applicants shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department. Failure to Cooperate can include, but is not limited to:
- a. Refusing or failing to sign and complete required forms.
 - b. Refusing or failing to supply requested information.
10. **Fraud** Applicants who are found to have committed Fraud, in connection with any HUD program, or failing to disclose previously Committed Fraud in connection with any HUD program, shall NOT be Eligible for any type of Housing Assistance program managed by the UNAHA Housing Department.
11. **Gang Involvement.**
- a. **General.** If an applicant or any of his /her family members (listed on the Household Composition form) has a confirmed police record of Gang Involvement then the applicant shall NOT be eligible for any type of

Housing Assistance program managed by the UNAHA Housing Department.

- b. **Exception:**
 - i. If, after a period of two (2) years, there are NO further instances of Gang related activities, said individual(s) shall be eligible for Housing Assistance programs managed by the UNAHA Housing Department.
 - ii. A local / state / Federal agency must be able to confirm, in writing, that said individual(s) has NOT been *involved* in any further Gang activity.
 - iii. The two (2) year period is calculated based on the most recent date on which the Law Enforcement Agency (incident report or other similar document) denotes gang *involvement*.
- c. **Detection.** This type of information could possibly be revealed through a Criminal Background Check; however, because laws limit the release of information involving Juveniles it may be hard to substantiate this through local law enforcement agencies.

12. **Grossly Unsanitary or Hazardous Housekeeping**

- a. If it can be determined that an applicant has a history of or is known to utilize Grossly Unsanitary or Hazardous Housekeeping practices, they shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department. This can include, but is NOT limited to:
 - i. Generally creating any health or safety hazard through acts or neglect.
 - ii. Causing any health or safety hazard through misuse of the premises and equipment, if the family is responsible for such hazard, damage or misuse.
 - iii. Causing or permitting infestation, foul odors or other problems injurious to another person's health, welfare or enjoyment of the premises.
 - iv. Disposing of or depositing garbage improperly.

- v. Failing to use, in a reasonable and proper manner, all utilities, facilities, services, appliances and equipment within the dwelling unit.
 - vi. Failing to maintain the dwelling unit in a good and clean condition.
 - vii. Failing to maintain the property (yard, driveway) of the dwelling in a good and clean condition.
 - viii. Any other conduct or neglect which could result in health or safety problems or in damage to the premises.
- b. In those cases where a qualified agency is working with the family to improve housekeeping and the agency reports that the family shows potential for improvement, decisions as to eligibility shall be reached after referral to and recommendation by such agency.
 - c. This category does not include families whose housekeeping is found to be superficially unclean or the lack of orderliness, where such conditions do not create a health and safety problem, do not result in damage to or deterioration of the premises and do not adversely affect the peaceful occupancy of neighbors.
 - d. The UNAHA Housing Department may (at its discretion) seek a home visit at the applicant's current residence to ensure the poor housekeeping habits have been corrected. The results of such visits shall be documented and included in the applicants file.

13. Habitual Criminal.

- a. Applicants who are determined to be Habitual Criminals shall be Permanently ineligible for any type of Housing Assistance program managed by the UNAHA Housing Department.
- b. This includes cases in which an applicant or a member of the applicant's family, who is expected to reside in the household, has demonstrated over time that he / she is a habitual criminal.

Commented [DCV18]: How does the renumbered Subsection 13, entitled Habitual Criminal, mesh with Subsection 3(c) of the same Paragraph, on Criminal Activity? Specifically, what is the difference between a Lesser Crime for the purposes of Subsection 3 and a crime that would not individually warrant rejection for purposes of Subsection 14? Also, would there be, as with Subsection 3(c), a period of time after which, if there are no further instances of criminal activity, the applicant may again be considered for Housing Department programs? Subsections 3(c)(i)-(iii) could be repurposed for this Subsection if this is the case.

- c. While individually, the crimes on the individuals record may NOT Warrant REJECTION, collectively they would.
- d. For example, say the individual had ten (10) or more arrests and convictions within the past three (3) years. This shows a pattern of criminal activity and is NOT a person we want in our housing units. Their demonstrated behavior would likely be detrimental to the safety and welfare of other tenants or the other tenant's enjoyment and peaceful occupancy of the premises.
- e. Detection. This type of information would normally be uncovered during the Criminal Background Check.

14. **Misrepresentation.**

- a. Should an applicant willfully or seriously misrepresent items on the application or during the application screening process, they shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department.
- b. This includes providing false or misleading information on the application.

15. **Non-Compliance with Rental Agreements.**

- a. Applicants who are found to have a history of Non-Compliance with Rental Agreements shall NOT be eligible for any type of Housing Assistance programs managed by the UNAHA Housing Department.
- b. This includes, but is NOT limited to evidence of failure to comply with the terms of a Rental Lease / HOA involving prior residences, such as:
 - i. Providing shelter to unauthorized persons;
 - ii. Keeping pets in violation of policies;
 - iii. Painting or decorating a unit without permission of the landlord /owner /manager;
 - iv. Failure to control children /guests;

or

- v. Other acts in violation of established rules and regulations.
16. **Over Income** - Most of the HUD funded Housing Assistance programs are intended to serve low-income families as outlined in Paragraph I(5) of Section V of this Policy.
- a. Applicants, whose income is determined to be OVER those income limits shall NOT be eligible for entry into any of HUD's "Low- Income" Housing Assistance programs that are managed by the UNAHA Housing Department.
 - b. HUD defines "Low-Income" as being at or below 80% of median area income.
 - c. To determine if a family meets HUD's definition of "Low-Income" and is income eligible one needs to refer to the income tables published by HUD.
 - i. These tables are updated annually and are broken down by state and county.
 - ii. To increase the eligibility pool, HUD allows the Housing Department to look at the National Average. If the National Average is higher than the local county rate, then HUD allows us to use the National Average rate.
17. **Past Negative Performance History in Meeting Financial Obligations**
- a. If it is determined that the applicant has a past Negative Performance History in meeting Financial Obligations, they shall NOT be eligible for any type of Housing Assistance program managed by the Housing Department. This includes, but is NOT limited to such things as rent and utilities.
 - b. The UNAHA Housing Department may request information from utility companies, former landlords, other federal housing programs, etc. detailing payment history for as many as the past five (5) years.
18. **Rape, Prostitution or Sexual Deviation.**
- a. **General.** Applicants who have convictions for Rape, Prostitution or Sexual Deviation, shall be permanently

ineligible for any type of Housing Assistance program managed by the Housing Department. This includes convictions for the offenses of:

- i. Rape;
- ii. Prostitution;
- iii. Indecent exposure;
- iv. Sodomy;
- v. Child molestation;
- vi. Carnal abuse;
- vii. Impairing the morals of a minor;

or

viii. Similar crimes indicating sexual deviation.

- b. **Detection.** This type of information would normally be uncovered during the Criminal Background Check.

19. **Records of Disturbance of Neighbors, Destruction of Property or Other Disruptive or Dangerous Behavior** - If an applicant has a known history of disturbing neighbors, destruction of property or other disruptive or dangerous behavior, they shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department. This includes documented behavior or conducts which:

- a. Adversely affects the safety or welfare of other persons by physical violence, gross negligence, or irresponsibility.
- b. Damages the equipment or premises in which the family resides.
- c. Is disturbing or dangerous to neighbors.
- d. Disrupts sound family and community life.

20. **State, Federal, and Tribal Laws** - If an applicant has a known history of failing to meet the eligibility requirements imposed by applicable State, Federal, and Tribal Laws, or any regulations / requirements promulgated there under for Housing,

then they shall NOT be eligible for any type of Housing Assistance program managed by the Housing Department.

21. **Supervision of Children, Disabled, and Elderly Persons.**
- a. If it can be determined that an applicant has a history of leaving his / her minor (under age eleven (11)) alone / unsupervised or has a history of leaving elderly / disabled individuals (who are under the applicant's care) alone / unsupervised shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department.
 - b. **Exception.** If any child (11 years of age or under) or any disabled or elderly person who is unable to care for himself or herself is to occupy the dwelling unit, the applicant must demonstrate that proper supervision by a responsible person (12 years of age or older) will be provided during the period of time while the child or the disabled or elderly person is at home and the head or heads of the household are at work or otherwise absent from the dwelling unit.
22. **Tribal Enrollment** - If an applicant can NOT show that he / she is an enrolled member of the United Native American Housing Association, then they shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department.
23. **Unfavorable Tenancy or Credit Records** - If an applicant has a known history of Unfavorable Tenancy or Credit Records, then they shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department. Unfavorable Tenancy or Credit Records may include but are not limited to:
- a. A consistent, severe or recent history of deficiencies in overall credit (with regards to rent / lease payments) which indicate the family would be unable to or would otherwise fail to pay monthly obligations for the dwelling unit when due and / or other expenses relating to occupancy of the dwelling unit;
or
 - b. The absence of a timely payment history for rent / lease obligations or any other obligations, unless the family can show good cause for such absence.

24. **Violent Behavior.**

- a. **General.** If an applicant has a known history of Violent Behavior, then they shall NOT be eligible for any type of Housing Assistance program managed by the UNAHA Housing Department. This includes evidence of acts of violence or of any other conduct, which would constitute a danger or disruption to the peaceful occupancy of neighbors.
- b. **Exception.**
 - i. If after a period of two (2) years, and NO further instances of Violent Behavior the individual may be considered for Housing Assistance programs managed by the Housing Department.
 - ii. A local / state / Federal agency must confirm, in writing, that said individual(s) have NOT been involved in any type of Violent Behavior for the past two (2) years.
 - iii. The two (2) year period is calculated based on the most recent date of conviction and / or most recent date on which the Law Enforcement Agency (incident report or other similar document) denotes the Violent Behavior occurred.
- c. **Detection.** This type of information would normally be uncovered during the Criminal Background Check.

F. **Final Determination.** Before determining whether an applicant is suitable or NOT suitable for participation in any of the Housing Assistance Programs managed by the UNAHA Housing Department, the UNAHA Housing Department staff shall review ALL of the information gathered in the screening process, taking into consideration the date, nature, and severity of the occurrences and the probability of future occurrences.

G. **Unsuitable Applicants.**

- 1. **Notification.** The Resident Services Specialist shall promptly notify applicants, determined to be Unsuitable (ineligible) or whose application has been rejected, of those findings and the reason(s) behind the decision.

Commented [DCV19]: Paragraph G of Section VIII mostly reiterates Paragraph F(2) of Section V. The only provision of this Paragraph that differs from Paragraph F(2) in that Paragraph F(2) provides for a private interview with Housing Department staff scheduled within 20 days of the date that the rejection notification letter was mailed, while Paragraph G(d) provides for an appeal hearing to be scheduled within 10 days of the Department's receipt of the appeal letter. Is there a difference between the ineligible or rejected status discussed in Paragraph F(2) of Section V and the statuses discussed in Paragraph G of Section VIII? If not, I suggest consolidating these Paragraphs and determining whether a private interview, an appeal hearing, or both should be the remedy for an applicant to address a finding of ineligibility or rejection of an application.

- a. That action shall be accomplished, in writing, within ten (10) business days of the UNAHA Housing Department staff rendering such a decision.
- b. That notice shall also contains a provision that advises the applicant of his / her right to appeal.

2. **Appeals.**

- a. Applicants who are notified that they are Unsuitable (ineligible) or have had their application rejected shall be advised of their right to appeal using the UNAHA Housing Department's appeal process.
- b. To do this, they may request a private conference with the Housing Department staff regarding the unsuitability determination.
- c. Appeal requests, from the applicant, must be in WRITING, and submitted within t e n (10) business days of the date t h e "Notification of Non-Eligibility" form letter was mailed.

NOTE: Telephone requests from the applicant, for an appeal, shall NOT be accepted by the UNAHA Housing Department.

- d. An appeal hearing, to make a final determination on the matter, shall be scheduled at the earliest convenience of both parties, but not later than ten (10) business days after receipt of the appeal letter from the applicant.
- e. At the appeal hearing, the applicant shall be allowed the opportunity to produce evidence, clarify information, and / or ask questions regarding eligibility.

H. **Re-instating a Rejected Applicant.** If unfavorable information is verified about an applicant during the screening process and he / she was determined to be ineligible or had his / her application rejected, the UNAHA Housing Department staff may:

1. Give consideration to the time, nature and seriousness of the applicant's behavior and to other factors, which might show a reasonable change of future favorable behavior or financial prospects. For example:

- a. Evidence of Rehabilitation.
 - b. Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling programs and the availability of these programs.
 - c. Evidence of the applicant family's willingness to attempt to increase family income.
2. Meeting such conditions can be grounds for re-instating an applicant's eligibility for Housing Assistance.

IX. WAITING LISTS

- A. **Legal Requirements.** The UNAHA Housing Department is required pursuant to NAHASDA to maintain a WRITTEN waiting list for ALL Housing Assistance programs under management.

- B. **Waiting Lists for Each Program.** The Resident Services Specialist shall maintain a separate Waiting List for each program type and bedroom size.
 - 1. **Types of Waiting Lists.** The types of homes and bedroom sizes currently available, in the Housing Departments inventory, are listed below. A separate waiting list shall be maintained for each.
 - a. **Low-Income Rentals**
 - i. Two Bedroom Single Family
 - ii. Three Bedroom Single Family
 - iii. Four Bedroom Single Family
 - iv. Five Bedroom Single Family

 - b. **Homeownership**
 - i. Three Bedroom Single Family
 - ii. Four Bedroom Single Family

 - 2. **Placement on the Waiting List.** Applicants shall NOT be placed on the waiting list(s), for the Housing Assistance program(s) that they have applied for, until such time as their application has been reviewed / processed by the Resident Services Specialist, and the applicant is found to be eligible for that program.

- C. **Ranking.** Waiting lists, for ALL programs, are set up to rank applicants by the DATE their application was filed with the UNAHA Housing Department.
 - 1. In other words, eligible applicants shall be drawn from the TOP of the waiting list.

 - 2. In the event two (2) or more applications are received on the same date, the TIME of filing shall be used as the basis for ranking.

- D. Waiting List Maintenance. Waiting lists shall be maintained, on a Computer database, by the Resident Services Specialist.
- E. Updating Waiting Lists. Updated waiting lists shall be printed, in hard copy form, during the first week of each month.
 - 1. The Resident Services Specialist shall retain a copy of each list (in a three ring binder and filed by month) as a permanent record for the Housing Department.
 - a. This three (3) ring binder shall be used; in the event an applicant desires to see his/her standing on the waiting list or HUD desires to see the UNAHA Housing Department's published waiting lists.
 - b. This shall be made available to the applicant(s), upon request.
 - c. Applicants shall be allowed to view ONLY the waiting list(s) that his/her name appears on.
 - 2. One (1) copy of each updated waiting list shall be forwarded to the Housing Department Housing Director. This copy shall be accompanied by a cover sheet that shows cumulative totals (number of people waiting) for each program (i.e. Rental- 20, Elderly 10, etc.).
- F. Occupancy Standards. The Housing Department staff shall make every effort to match the applicant's housing need with a dwelling unit of appropriate size. This is done, in an effort, to ensure that "overcrowding" and "underutilization" of units is NOT occurring or is minimized. To do that, the following Occupancy Standards shall be adhered to.
 - 1. General. The number, age, sex', and relationship of persons permitted to occupy a bedroom shall meet reasonable standards of health and privacy and allow flexibility to accommodate changes in Household Composition.
 - a. Head of Household / Spouse (Significant Other) - one (1) Bedroom.
 - b. Male member of household, other than Head of Household / Spouse (or Significant Other) - one (1) bedroom.
 - c. Female member of household, other than Head of Household / Spouse (or Significant Other) - one (1) bedroom.

- d. Minor Children (under the age of eighteen (18) and of the same sex and near same age (i.e., within five (5) years) - one (1) bedroom.
 - e. Infants would NOT be required to share a bedroom with persons of different generations, including their parents.
 - f. No more than two (2) persons shall be required to occupy a bedroom.
 - g. Persons of different generations, persons of the opposite sex (other than spouses) and unrelated adults shall NOT be required to share a bedroom.
2. Exceptions. The UNAHA Housing Department Housing Director may make exceptions to the Occupancy Standards, noted above, under the following circumstances:
- a. Single Parents. A Single Parent family can be given consideration for an additional bedroom.
 - b. Medical Need. A documented Medical Need, of the applicant and / or household member, can be grounds for giving consideration for an additional bedroom.
 - i. The recommendation of a Medical Doctor that an additional bedroom would help facilitates the medical care or well-being of a family member is required.
 - ii. That recommendation needs to be in WRITING, and on the doctor's letterhead stationery.
 - c. Live-In-Aid. If a Live-In-Aid (Care Attendant) is required to help with the Medical Needs of the applicant and / or household member, and the applicant can provide the proper documentation, then consideration can be given for an additional bedroom.
 - i. The recommendation of a Medical Doctor, that a Live-In-Aid is required to help facilitate the medical care or well-being of the applicant I family member, is required, that recommendation needs to be in WRITING, and on the Doctors Letter Head Stationary.
 - d. Foster Children. Consideration can be given to those families who routinely take in Foster Children and may require an additional bedroom.

- i. Proof of current Foster Care certification is required.
 - ii. Such proof must be provided to the UNAHA Housing Department to qualify for these exemptions.
 - e. **Unborn Children.** If an applicant or the applicants spouse (significant other) is pregnant at time of application, and she can provide proper documentation of that pregnancy (see Section VI, Paragraph P of this Policy for details), then the UNAHA Housing Department may give consideration for an additional bedroom.
 - f. **Pending Adoptions.** If an applicant is in the process of adopting a child, and the applicant can provide documentation supporting that pending adoption, then the UNAHA Housing Department may give consider consideration for an additional bedroom.
3. **Occupancy Tables.** To help put the above standards in perspective, the table below illustrates how the UNAHA Housing Department staff determines the appropriate number of bedrooms required to accommodate a family, of a given size, based on a minimum and maximum number of family members per bedroom sized unit.

Number of Persons		
Number of Bedrooms	Minimum	Maximum
1	1	2
2	2	4
3	4	6
4	6	8
5	8	10
6	10	12

4. **Waivers to Bedroom Size Occupancy Standards to Accommodate Management.**

- a. These standards may be waived, at the discretion of the Housing Department Housing Director, when a vacancy problem exists and it is necessary to achieve or maintain full

Commented [DCV20]: The Table in Subsection 3 of this Paragraph is confusing, but I suspect that is due to a formatting glitch that will be corrected in the final version of this Policy. Specifically, it is unclear which data sets line up with which numbers.

occupancy by temporarily assigning a family to a larger size unit than is required.

- b. **For example:** There are three (3) four-bedroom units vacant and NO one is on the four-bedroom waiting list. There are, however, twenty (20) families on the three-bedroom waiting list. Under these Circumstance, the Director may authorize families from the TOP of the three-bedroom waiting list to be moved into a four-bedroom unit. This is done to keep units full. Vacant units are subject to vandalism.
 - c. The Director shall place a "Waiver" MEMO in the applicants file attesting to the fact that there were NO eligible applicants on the four (4) bedroom waiting list and that the provisions of this portion of the Admissions Policy were applied.
 - d. These documents shall be used to provide back-up, should the UNAHA Housing Department staff be questioned about putting someone from the three (3) bedroom waiting list into a four (4) bedroom unit.
 - e. Families placed, under these circumstances, shall be transferred to the proper size unit as soon as one becomes available and/or when such transfer is feasible / advantageous for the management.
5. **Removal from the Waiting List.** Eligible applicants shall remain on the waiting list(s) until such time as:
- a. **Awarded a Unit.** They are awarded and accept a unit.
 - b. **Application Expires.** After a six (6) month period has elapsed and the applicant fails to update his / her application.
 - i. Applicants who are removed from the waiting list, for failure to update their application, shall have their applications moved to the inactive file. With that, they will lose their original eligibility date and standing on the waiting list.
 - ii. The UNAHA Housing Department staff does NOT have to provide written notification of such removal to the applicant.

(Rationale: Applicants were already sent notices indicating the consequences of NOT updating their applications).

- c. **Applicant Requests Removal.** The applicant wishes to be removed from the list.

The applicant must submit written request to the UNAHA Housing Department indicating their desire to be removed from the waiting list(s).

- i. NO Phone Calls. Phone calls, requesting removal, shall NOT be accepted.

Rationale: The UNAHA Housing Department staff is unable to determine, via a phone call, if the caller is in fact the applicant. In the event of a problem/ dispute, there would be **NO** Written Record to back up the UNAHA Housing Department staff's decision to remove the applicant.

- d. **NO Longer Eligible.** The applicant has a change in household income or composition that renders him / her ineligible for the Housing Assistance program that he / she has applied for.

- i. Applicants who were income eligible, when first placed on the Waiting List, can become ineligible if their income goes up to such an extent that it exceeds the eighty (80) percent of median area income, pursuant to the standards established by HUD. Applicants need to bear in mind that NAHASDA requires that applicants for Federally Subsidized Housing Assistance programs to be income eligible at time of entry into the program. That is further defined, by law, as of the date the Rental Lease /HOA are signed.

- ii. Applicants are required to keep the Housing Department staff informed of such changes, as they occur, by providing written notification.

- 1. The Housing Department staff shall reassess eligibility of the applicant based on any change in household income or composition to ensure that the applicant still meets ALL eligibility requirements for admission.

2. Should an applicant become ineligible" based on a change in household income or composition, Housing Department staff shall promptly notify the applicant in writing that he / she NO longer qualifies for Housing Assistance.
- iii. In addition to income changes, disqualification may also be caused by program and policy changes.
- iv. In cases where annual income is seasonal or sporadic, a three (3) year average of income SHALL be used for the family member whose income cannot be otherwise determined.

G. Suspending the Acceptance of New Applications.

1. The UNAHA Housing Department reserves the right to close the waiting list, for any / ALL Housing Assistance programs, under management.
2. The UNAHA Housing Department reserves the right to suspend the taking of new applications, for any / ALL Housing Assistance programs under management, at any given time.
3. The UNAHA Housing Department may also set submission deadlines for any / ALL Housing Assistance programs under management or for any funding year.

X. SELECTION PROCESS

A. General. It is important to note that housing units are awarded as they become available and may NOT necessarily coincide with an applicant's immediate desire for housing nor his / her first preference area.

B. Unit Availability. The Maintenance Manager/Inspector shall formally notify the Resident Services staff when a unit is available for occupancy.

1. This shall be accomplished by submitting a completed (signed) copy of the "Vacant Unit Work Order" worksheet to the Resident Services Specialist

2. This worksheet shall include a detailed list of what types of work and / or repairs were done. It shall also include:

- a. The project name;
- b. House and / or unit number;
- c. Apartment number if applicable; and
- d. Anticipated availability date.

3. Copies of the worksheet shall be given to:

- a. The Maintenance Manager.
- b. The Resident Services Specialist, who is responsible for that unit, along with one (1) set of keys for the unit

C. Selection Criteria. The Resident Services Specialist shall utilize the date / time of filing as the first criteria in the selection purposes. Secondly, area of preference shall be considered.

1. **Example 1** Three Bedroom Waiting List

Standing	Date of	Name	Preference Area
-----------------	----------------	-------------	------------------------

1. 03/07/00 John Doe Stillwater only
2. 05/08/00 Jane Lamp Eagles Nest only
3. 07/09/00 Mary Doe Colony only

first
on the

Maintenance has a three-bedroom unit in Eagles Nest available. The applicant at the TOP of the waiting list, John Doe, has indicated he only wants Stillwater. As such, the UNAHA Housing Department staff shall go to the # 2 person (Jane Lamp) and offer her the unit because she is the one in line who has a stated preference for Eagles Nest. John Doe other hand, retains his top seated position.

2. **Example 2** Three Bedroom Waiting List

Standing	Date of	Name	Preference Area
1.	03/07/00	John Doe	Stillwater ONLY (1) Eagles Nest (2)
2.	05/08/00	Jane Lamp	Eagles Nest only
3.	07/09/00	Mary Doe	Colony Only

Maintenance has a three-bedroom unit in Eagles Nest available. The applicant at the TOP, John Doe, has indicated he would take either Stillwater Only or Eagles Nest. As such, the UNAHA Housing Department staff shall offer him the unit in Eagles Nest because he was the first one in line who had a stated preference for Eagles Nest. Should John Doe refuse the unit, he would go to the bottom of the Waiting List and the unit would be offered to Jane Lamp.

D. **Selecting a Prospective New Client.** The Resident Services Specialist shall contact the prospective new client.

1. Based on the unit size (number of bedrooms) and location of the available unit with the name of the applicant who (from the TOP of that particular Waiting List is being processed for the unit.

Commented [DCV21]: This should instead state something like:
The Resident Services Specialist shall select and contact a prospective new client who is at the top of the Waiting List for a unit of the same size and location as the available unit.

E. **Final Review of Verifications.**

1. Upon receipt of the applicant's file, from the Resident Specialist, shall review ALL the verifications in the applicants file.
2. If the verifications are more than five (5) months old, the Resident Services Specialist shall take those action(s) necessary to bring them up-to-date to ensure their accuracy and the fact that the applicant is still income eligible prior to actual formal award of the unit.

3. If the Resident Services Specialist determines that ALL verifications are current (or have been updated) and that the applicant is still income eligible, then he / she shall notify the Housing Director (or his / her designate).

F. Final Approval.

1. The Housing Director (or his/her designate) shall review the applicants to ensure that the applicant is both eligible and at the top of the waiting list prior to giving FINAL APPROVAL for the selected applicant.
2. This shall be done prior to any forma/ notification being released to the applicant and prior to the execution of the Rental Lease / HOA.

- G. Notifying the Client.** After the Housing Director has given the FINAL APPROVAL, the Resident Services Specialist shall notify the applicant, in writing, about the availability of the unit and his / her selection for that unit.

Commented [DCV22]: In Paragraph G, Section X, should there be a time frame for providing written notice to the applicant that he/she has been selected for a particular unit?

- H. Notification Content.** The notification letter that goes to applicant, selected for Housing Assistance, shall include the following:

1. Rent / Homebuyer Payments.
 - a. Rents and Homebuyer Payment Standards.
 - i. Rents. Currently, rents for HUD funded housing programs, are set at thirty percent (30%) of the household's ADJUSTED GROSS INCOME.
 - ii. Homebuyer Payments. Currently, rents for HUD funded homeownership programs, are set at thirty percent (30%) of the household's ADJUSTED GROSS INCOME.
 - b. Estimating Monthly Rent and Homebuyer Payments. A preliminary Rent / Homebuyer Payment Calculation Worksheet, based on the information available to the UNAHA Housing Department staff, shall be prepared to show the perspective new client what to expect in the way of monthly payments.
 - i. The policies and procedures used to establish monthly rents and / or homebuyer payments are found in the UNAHA Housing Department's Rent and Collection Policy.

- ii. The UNAHA Housing Department's Rent and Collection Policy should be referred to for ALL information on how to determine rent / homebuyer payments, make changes to said payments, re-determine rent / homebuyer payments, and required action(s) in the case of non-payment and / or defaults.

2. Security Deposit Requirements.

- a. Advise applicants, who will be executing a Rental Lease Agreement, that they must be willing and able to make the required Security Deposit payment at their upcoming Orientation session.
- b. The amount of the Security Deposit shall also be calculated and made known to the perspective new client. This shall be included on the Rent / Homebuyer Payment Calculation Worksheet. As noted in Section V, Paragraph I(4) of this Policy, the MINIMUM Security Deposit is set at \$200 or the equivalent of one (1) month's rent (whichever is greater).
- c. Informing the new client about the Security Deposit requirements is very important because all too often clients want to move in immediately but did not have the foresight to set money aside to cover their Security Deposit obligation. The Security Deposit must be paid IN FULL prior to move-in.

3. Down Payment Requirements.

- a. Advise applicants, who will be executing an HOA, that they must be willing and able to make the required Down Payment at their upcoming Orientation session.
- b. The amount of the Down Payment shall be made known to the perspective new client. This will be included on the Rent / Homebuyer Payment Calculation Worksheet. As noted previously, the Mutual Help Down Payment contribution is set at \$_____.
- c. Informing the new client about the Down Payment requirements is very important because all too often clients want to move in immediately but did not have the foresight to set money aside to cover their Down Payment obligation. The Down Payment must be paid IN FULL prior to move-in.

I. **Notification of Prospective Status.**

1. **Notification.** The Resident Services Specialist shall complete a "Notification of Prospective Status" form letter and send it via first class mail to the applicant.
2. **Notice Content.** This form letter shall:
 - a. Clearly state that the applicant has been selected as a "prospective" client for participation in the Housing Assistance program they applied for.
 - b. Clearly identify the unit number, apartment number (if applicable), location, and program type.
 - c. Clearly state that the applicant shall be required to participate in a MANDATORY Program Orientation session prior to occupancy (Move-In) and release of keys (by Housing) for the unit. The scheduled Orientation date and time should also be noted.
 - d. Identify the name of the applicants Resident Services Specialist.
 - e. Clearly state that an HOA Contract, or Rental Lease Agreement needs to be executed prior to occupancy (move-in). To accomplish that, the applicant shall be advised that he / she must be willing to sign a Letter of Intent to enter into the HOA Contract, or Rental Lease Agreement.
 - f. Clearly state that the NOTICE is NOT a contract and does NOT obligate the UNAHA Housing Department in any way.
3. **Declaration of Acceptance / Refusal.** The Resident Services Specialist shall also enclose a copy of the "Declaration of Acceptance/ Refusal" form letter for the applicant to sign and return to Housing.
4. **HOMEOWNERSHIP Program.** If an applicant is being considered for award of a Homeownership unit, several other stipulations apply.
 - a. In addition to signing the "Declaration of Acceptance/Refusal" form letter, Homeownership applicants must sign a letter of intent to enter into an HOA.

- b. They must also agree to attend mandatory Homebuyer Training / Counseling sessions that describe their obligations under the Homeownership program.

J. **Acceptance/Denial Of Unit Awarded.** Applicants shall have five (5) business days from the date of the official notification letter in which to respond to the notification.

- 1. General. The notification letter requires the applicant to denote whether he / she will accept or deny the unit being awarded.
- 2. Applicant Accepts.
 - a. Should an applicant accept the unit that has been awarded to him/ her, the Resident Services Specialist shall immediately update the waiting list.
 - b. The Resident Services staff shall then move on to the Orientation phase (see Section XI of this document for details).
 - c. Impact on Waiting List Standing.
 - i. After receipt of acceptance (in the Declaration of Acceptance/Refusal Letter) the Resident Services Specialist shall remove the applicant's name from the applicable waiting list in the UNAHA Housing Department's computer database.
 - ii. The Resident Services Specialist shall enter a comment into the Waiting List file (comments section) denoting the date of assignment, unit number / location assigned and projected move-in date.
 - iii. If the applicant has signed up for other programs (i.e. Homeownership) and was awarded a Rental Unit, there would be NO change in his / her status on the Homeownership waiting list, provided they keep the application updated.
- 3. No Response From Applicant.
 - a. Failure, on the part of the applicant to respond to the letter of notification, within the established five (5) day time frame, shall result in an automatic Refusal status being invoked for the unit.

Commented [DCV23]: In Paragraph J, Section X, does the phrase "from the date of the official notification letter" refer to the date the notification letter was sent or the date the applicant received the letter? Also, this phrase does not need to be in parentheses.

- b. This shall then be treated the same as a declination and processed accordingly (see Section X, Paragraph C above).
- 4. Applicant Declines.
 - a. Should an applicant decline a unit that has been awarded to him / her, the Resident Services Specialist shall go to the applicable Waiting List and select the next eligible applicant from the TOP of the Waiting List and issue a notification letter to the applicant.
 - b. Under these circumstances the selection I notification process shall start anew (refer back to Section X, starting at Paragraph B for details.)
- 5. Impact on Waiting List Standing.
 - a. An applicant who declines or refuses to accept a unit, in an area that he/she identified as a preference on the application, shall NOT be removed from the waiting list, however, the applicant shall be dropped to the bottom of the waiting list (for that particular program) that he / she is currently on.
 - b. For example:
 - i. An applicant has applications in for both rental and homeownership programs.
 - ii. If he / she was offered a rental unit in Stillwater (a stated preference area along with Eagles Nest) and turned it down, he / she would be dropped to the bottom of the Stillwater and Eagles Nest rental waiting lists.
 - iii. There would be NO change in his /her status on the homeownership waiting list.

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- K. **Participation in Other Housing Assistance Programs.** If an applicant indicates that he / she is participating in another Federally Assisted Housing program (i.e., receiving Housing Assistance from the UNAHA Housing Department, another Housing Department, or the HUD Section 8 Voucher Program) he / she must:

1. Advise the landlord / agency, in writing, that he / she will be vacating the unit and provide them with the projected move-out date.
2. Clear ALL bills with said landlord / program.
3. Provide the UNAHA Housing Department with proof (copy of signed notification letter) to ensure that all obligations have been closed out with said agencies and / or private landlords.
4. Complete these actions to the satisfaction of UNAHA Housing Department Management before the applicant proceeds to the ORIENTATION phase.UNAHA
5. Rationale.
 - a. Following these procedures is a critical element in the Housing Department's on-going effort to maintain a good working relationship with other housing providers and private landlords in our service area.
 - b. When tribal members vacate a rental property without giving the private landlord proper notice and/or leave owing rent, unpaid utilities, and/or damages, it is less likely that private landlord will accept other tribal families, who desperately needs housing, as renters.
 - c. It is the hope of the UNAHA Housing Department, that by insisting on these simple courtesies we will be able to provide decent, safe, and adequate housing opportunities to tribal members for generations to come.

L. Disposition of Home/Trailer Home.

1. It is at this point in time that applicants, who are currently residing in a trailer home or another home, that they own, must provide legal proof of disposition of said property to the UNAHA Housing Department before actual award of a unit can go forward
2. Proof of disposition must be completed, to the satisfaction of Housing Department Management, before the applicant can proceed to the Orientation phase.
3. Rationale.

- a. This is necessary to ensure that the applicant does NOT receive Tribal and / or Federal Housing Assistance when he / she already owns a home or trailer home.
 - b. In a sense, retaining a home / trailer home while participating in another federally subsidized Housing Assistance Program constitutes DOUBLE DIPPING and shall NOT be tolerated.
 - c. What we have found happens is that people in this situation reside in a federally subsidized home while at the same time they are renting out their former home / trailer home. Unfortunately, most of them purposely FAIL to report the rent as income in order to avoid higher monthly payments for their federally subsidized unit.
- M. **Orientation.** Once an applicant accepts a unit, the next step is Orientation with the Resident Services Specialist, to begin the move-in process.

XI. ORIENTATION

- A. Orientation Actions. In preparation for the pre-move-in Orientation, the Resident Services Specialist shall take the following actions:
1. Prepare a Rental Lease and / or HOA as applicable, and have it ready for the new client to sign;
 2. Prepare a Payment Computation Worksheet based on the new clients reported household income;
 3. Set up a new Client File;
 4. Set up an Orientation Control Sheet;
 5. Set up a Rolodex Card with the new clients pertinent data on it;
- B. Orientation Control Sheet.
1. During the Orientation, the Resident Services Specialist shall use the "Orientation Control Sheet" as a guide to ensure that ALL pertinent information is covered with the new client and that all necessary documentation has been executed.
 2. The major topic areas covered on the Orientation Control Sheet are:
 - a. Rental Lease / HOA as applicable.
 - b. Utilities and client's responsibilities to pay.
 - c. Tribal Ordinances;
 - d. Sanitation and Safety;
 - e. Other.
 3. The Resident Services Specialist shall ensure that ALL other forms and / or documents are executed before the new client is released from the Orientation session.
 4. Acknowledgements. At the conclusion of the Orientation, the Resident Services Specialist shall ensure that:

- a. The new client initials off on all blocks on the Orientation Control Sheet.
- b. The new client signs and dates the Orientation Control Sheet. In so doing, he / she acknowledges that he / she has been briefed on and understands the information covered during the Orientation.
- c. The signed copy of the Orientation Control Sheet shall become a part of the client's permanent UNAHA Housing Department file.

C. **The Rental Lease / Homebuyer Occupancy Agreement (HOA).**

1. **Security Deposit / Down Payment.**

- a. Before the applicant shall be allowed to execute the lease, he / she must have the FULL AMOUNT of the Security Deposit (for rentals) or the full amount of the homebuyer Down Payment (for Homeownership)- whichever is applicable.
- b. Payment of the Security Deposit / Down Payment shall be in the form of a personal check or money order.
- c. The UNAHA Housing Department shall NOT accept cash payments.

2. **Executing the Rental Lease/HOA.**

- a. Prior to admission to any program, a Rental Lease/Homeownership Occupancy Agreement (HOA) must be executed by the person(s) who is / are to be responsible (both legally and morally) for the unit, and who is/are actually looked to and held accountable for the family's need.

3. **Who executes the Rental Lease/Homeownership Occupancy Agreement (HOA)?**

- a. The head of household must execute the Rental Lease/ HOA.
- b. If married, and the spouse is residing in the unit, he/she must co-sign the Rental Lease / HOA.

- c. If two (2) unmarried individuals intend to lease a unit together, both of them must execute the Rental Lease/HOA.
- d. The Resident Services Specialist shall execute the Rental Lease/HOA, on behalf of the UNAHA Housing Department.
- e. After all signatures have been obtained, during the Orientation, the Resident Services Specialist shall forward the Rental Lease / HOA to the Housing Director. The Housing Director of the UNAHA Housing Department shall also execute the Rental Lease / HOA on behalf of the UNAHA Housing Department.

4. **Following Execution of the Rental Lease / HOA.**

- a. After a Rental Lease / HOA has been executed, the terms and conditions of the agreement shall prevail from that day forward and until the agreement is officially terminated.
- b. Leaseholders are required to abide by:
 - i. The terms and conditions of the lease.
 - ii. Future addenda that may be necessitated.
 - iii. Any Tribal, State, or Federal guidelines that are applicable for continued eligibility in the program they are participating in.
- c. The Resident Services Specialist shall ensure that the new client is provided with a copy of the signed and executed Rental Lease / HOA, as applicable.
- d. The original of the Rental Lease / HOA shall be retained in the clients permanent UNAHA Housing Department file.

5. **Updates.** The UNAHA Housing Department shall endeavor to keep the Rental Lease / HOA current and in compliance with all State and Federal Laws.

- a. Changes and / or updates to the Rental Lease / HOA may be accomplished through the use of addenda.

- b. Should an addendum be required, leaseholders shall be required to approve and sign it.
- c. Failure, on the part of the leaseholder, to sign an addendum to the Rental Lease / Homeownership Occupancy Agreement (HOA) can result in termination of the lease and *eviction*.

6. **New Lease Agreements.**

- a. In the event it becomes necessary for the UNAHA Housing Department to issue a new Rental Lease / HOA, leaseholders (Rental and Homeownership) shall be encouraged to execute the new lease agreement.
- b. The UNAHA Housing Department can demand that the leaseholder sign for and acknowledge receipt of a lease ADDENDUM, which covers any changes / revisions that might be necessary to update /strengthen the existing lease agreement.

D. **Move-In Inspection.**

- 1. Following Orientation, the Resident Services Specialist shall contact the UNAHA Housing Department Maintenance Manager/inspector and advise him / her of the need to schedule a Move-In Inspection.
- 2. Once a date has been confirmed, the Resident Services Specialist shall inform the new client of his / her scheduled Move-In Inspection and the date of the inspection.
- 3. The Move-In Inspection shall be done by the Maintenance Manager/Inspector, assisted by the Resident Services Specialist.

- E. **Notification of Utility Service Providers.** The final step, prior to move-in, shall be for the Resident Services Specialist to contact the local utility company, servicing the area where the unit is located, and request that billing for service to the unit be transferred from the UNAHA Housing Department to the new client.