

TYME MAIDU TRIBE BERRY CREEK RANCHERIA RENTAL ASSISTANCE PROGRAM

Purpose

The Tyme Maidu Tribe of the Berry Creek Rancheria has established a Rental Assistance Program in order to better serve the housing needs of the Tribal members of the Berry Creek Rancheria.

The Rental Assistance Program has been established 4 important goals to better meet the housing needs of tribal members:

Program Goals:

- ◆ To alleviate the financial burden on Tribal members renting homes in the private sector.
- ◆ To enable tribal members to rent homes in the private sector that better meet their family's needs in the following ways:
 - The home is adequate for family size and composition
 - The home is both decent and affordable
- ◆ To assist tribal members in renting decent, safe and standard rental housing.
- ◆ To meet the housing needs of a greater number of tribal members by maximizing the resources available under NAHASDA.

RENTAL ASSISTANCE PROGRAM POLICIES AND PROCEDURES

SECTION 1. ELIGIBILITY REQUIREMENTS

1-1 Eligibility for Rental Assistance

To be eligible for the Rental Assistance Program applicants must meet all of the eligibility requirements. Eligible applicants are those people who:

- a) are an enrolled member of the Tyme Maidu Tribe of the Berry Creek Rancheria.
- b) reside within the boundaries of Butte or Plumas County or be willing to relocate to those areas.
- c) have not received housing assistance from the Berry Creek Rancheria within the past 12 months. (residents in on reservation housing are eligible to apply for off-reservation rental assistance)
- d) are at least 18 years of age (emancipated youth will be consider on a case-by-case basis).
- e) whose family income **does not exceed** the applicable income limits of Northern Circle Indian Housing Authority.

Rental Assistance Income Limits							
1 person	2 people	3 people	4 people	5 people	6 people	7 people	8 people
\$35,950	\$41,050	\$46,200	\$51,350	\$55,450	\$59,600	\$63,700	\$67,800

- f) willing to complete at minimum an 8 hour session in Building Native Communities- Financial Fitness Literacy/ Pathways Home within the first year of Rental Assistance offered.

1-2 Minimum Income Requirements

In order to serve as many eligible families as possible the Rental Assistance Program requires each applicant (family) to maintain a minimum income to qualify for assistance. To qualify for rental assistance each applicant family must meet the minimum income requirements.

Eligible families must maintain an income of **at least \$469.00 per month/\$5,628 annually**. This minimum income is based on the amount available to 1 adult, 1 child receiving Temporary Aid to Needy Families (TANF) in Butte County and is subject to change as the Butte Co. TANF levels change

1-3 Rental Assistance for current housing assistance recipients

Participants shall be selected for the Rental Assistance Program from those applicant families determined to be eligible under 1-1, and who are able and willing to meet all obligations under this program.

Applicants currently receiving assistance in other tribal housing programs are eligible to apply for **off-reservation rental assistance** provided that they are willing to relinquish their on-reservation housing upon admission into the program.

SECTION 2. PARTICIPANT SELECTION CRITERIA

2-1 Governing Conditions

NCIHA is subject to the Indian Civil Rights Act (Title II of the Civil Rights Act of 1968, 25 U.S.C. 1301-03) which provides among other things, that no Indian tribe in exercising powers of self-government shall deny due process or the equal protection of its laws to any person within its jurisdiction.

2-2 Tribal Preferences in Selection of Participants

NCIHA shall give preference to applicants for the Rental Assistance program who are otherwise eligible for assistance and who, at the time they are seeking housing assistance are:

- a) currently on the waiting list for housing assistance – applicants will be selected by date of application.
- b) parents who are pending family reunification that is dependent upon decent, safe and affordable housing.

The Waiting List shall be ranked by date of application and only applicants that have attended the application intake interview will be prioritized on the waiting list.

SECTION 3. OCCUPANCY STANDARDS

3-1 In order to achieve the goal of alleviating “overcrowded conditions” the rental assistance program will utilize the following occupancy guidelines:

<u>Br Size</u>	<u>No of Persons</u>
2	2- 4
3	2-6
4	4-8
5	6-10

The Berry Creek Tribal Council recognizes that families are able to determine what meets the needs of their own families such as; living space and bedroom size and will be making these determinations on a case by case basis.

This occupancy standards schedule is flexible depending upon the age of the children in the household. When locating housing families should meet reasonable standards of health and privacy and allow flexibility to accommodate changes in family composition.

SECTION 4. RECEIPT OF APPLICATIONS AND DETERMINATION OF ELIGIBILITY

This section sets forth the basic steps which are to be taken in obtaining and verifying information from applicant families for the purpose of (1) determining whether they meet the conditions of eligibility for admission set forth in Section 1; (2) implementing the participant selection criteria contained in Section 2; (3) determining the size of dwelling required in accordance with Section 3 of this policy.

4-1 Procedure for receipt of applications

- a) The application constitutes the basic record of each family applying for rental assistance. Each applicant, therefore, will be required to supply information as called for on the Application for Rental Assistance and sign the application attesting to the accuracy of the data provided. Each application shall reflect the date received by NCIHA.
- b) The application together with all other materials relating to the family's eligibility are to be maintained in an active file for each applicant not classified as ineligible or withdrawn.
- c) Applicants shall provide social security numbers for all family members who appear on the family composition.

4-2 Verification and Documentation of Application Data

- a) To assure that the data upon which determination of eligibility, preference status and eligibility level is full, true and complete; the information submitted by each applicant is subject to third party verification.
- b) Complete and accurate verification records consisting of, but not limited to the following, are to be maintained:
 - 1) Letter or other statements from employers and other pertinent sources giving authoritative information concerning all amounts of income;
 - 2) Copies of documents in the applicant's possession which substantiate statements, or a brief summary of the pertinent contents of such documents signed and dated by the staff member who viewed them;
 - 3) Verification data obtained by personal interview, telephone, or other means, with source, date reviewed and the person receiving the information clearly indicated.

SECTION 5: REQUIREMENTS FOR CONTINUED RENTAL ASSISTANCE

Examination and Reexamination of Family Income

Determination of Initial Eligibility

For the purpose of determining the Eligibility Level, making adjustments to the amount paid on behalf of the participant, and determining continued eligibility the Participant is required to submit their Total Family Income upon application to the Rental Assistance Program.

Total Family Income includes income from all family members over the age of 18 from all sources. Sources include but are not limited to:

Employment Earnings	SSI	Unemployment Insurance
TANF Grant(s)	SDI	

Interim Redetermination of Family Income and Adjustment of Tenant Payments

- a. In addition to submitting such information as may be required at time of periodic reexaminations of eligibility and redetermination of Family Income, tenants are to be required to report changes in family composition through marriage, divorce, births or other continuing circumstances.
- b. Any tenant who reports a change in family circumstances (such as decrease in income) shall be given an interim income redetermination and if, upon verification, it is determined the existing Total Tenant Payment exceeds 30% of the tenant's Family Income and appropriate adjustment shall be made. In the event the total tenant payment is decreased in accordance with this provision, the tenant must report all changes in family circumstances, which would result in an increased Total Tenant Payment.
- c. Increases in Total Tenant Payment are to be made effective the first day of the second month following that in which the change occurred.
- d. Decreases in Total Tenant Payment are to be made effective the first day of the month following that in which the change was reported.

Re-certification Procedures

Participants will be required to re-certify for the Rental Assistance Program annually; Recertification of Family Composition and Income is required on the anniversary date of their 1st subsidy payment.

- a. Receipt of Application for Continued Rental Assistance

Each tenant family is to be required, at the time of the reexamination, to submit information for completion of Application for Continued Occupancy form and to sign all required forms.

b. Verification and Documentation of Reexamination Data

To assure that the data upon which the determination for continued rental assistance is true and complete the information that is submitted by each household member is to be verified. Complete and accurate verification records as specified in section 4-2 are to be maintained in the tenant's folder.

c. Summary of Verified Data

Verification data are to be reviewed and evaluated as they are received for completeness, adequacy and conclusiveness. Where the information received is not completely adequate in all respects, follow-ups or new efforts to obtain such information are to be made and carried through to conclusion.

The summary is to cover the following determinations and the basis for such determinations:

- 1) Continued eligibility of the tenant family or as the residuum of a family;
- 2) Eligibility of the tenant family as a low income family;
- 3) Size of dwelling required; and
- 4) Total Tenant Payment obligations.

Within 30 days after the tenant has submitted all information required of him or her, and called for on the Application for Continued Rental Assistance form, he or she is to be informed concerning:

- Continued Eligibility
- Any changes in their rental obligations
- Any instances of misrepresentation of family composition or income revealed through the reexamination and any corrective or punitive action which is to taken.

SECTION 6: FAIR MARKET RENTS

In accordance with the NAHASDA Program, Northern Circle Indian Housing Authority is obligated to pay no more than **Fair Market Rents** that are periodically

published in the Federal Register. These amounts are subject to change as the averages for counties change and are published.

The current Fair Market Rents for Butte County:

0 Br 1 Br 2 Br 3 Br 4 Br
 See Attachment

SECTION 7: AREA OF OPERATION

The Berry Creek Rancheria Tribe has established the service area as Butte and Plumas Counties.

Full time students attending an institution of higher learning (junior college, university, vocational education, etc.) enrolled in 12 or more units will be allowed to use the Rental Assistance subsidy outside of the designated service area. This waiver will be granted only during the period that they are a full time enrolled student. The student must use the subsidy in the location that they are attending school.

SECTION 8: MINIMUM SUBSIDY

Each participant that is approved for the Rental Assistance Program shall receive a minimum rental subsidy in the amount of \$350 per month to be in effect October 1, 2012.

SECTION 9: MAXIMUM SUBSIDY

Tenant payment shall be calculated based on current income and will not exceed the maximum subsidy established under this policy. **The maximum subsidy for any Rental Assistance Participant over the age of 21 who receives per capita is only eligible for \$350.00 a month. If the participant is 21 and over and a full time student enrolled in 12 or more units at a 2 year community college or four year university, vocational education the maximum subsidy is \$350.00 a month.**

SECTION 10: TENANT PAYMENTS

Each participant shall be responsible for a portion of the contract rent (rental charge). This Tenant Payment will be determined according to Total Household Income. The Payment will be calculated at 25% of Adjusted Household Income and all participants will be informed of their portion of the rent at the time that they are issued their Rental Certificate.

SECTION 11: MOVE-IN COSTS

Participants may decide to use a portion (or all) of their annual allocation for Rental Assistance for move-in costs. The Annual Allocation is the approved monthly subsidy multiplied by 12 months. The minimum annual allocation is \$4200.00

These costs may be paid in a lump sum to the property owner/manager and may include security deposit, cleaning deposit, 1st month rent or other deposits required by the owner/manager.

No other lump sum uses of the annual rental assistance allocation will be approved under any circumstances. Security deposits held by owner/manager shall be returned to the BCR Rental Assistance Program upon vacating the contract unit and will be credited back to the RA program.

SECTION 12: MAXIMUM PROGRAM PARTICIPATION

Rental Assistance Program Participants are eligible for a **maximum service of 6 years or 72 months** of assistance effective September 19, 2012.

Sporadic assistance payments will be totaled and may not exceed 60 months of service. When Participants reach maximum payments they are not eligible to reapply for services.

Northern Circle will notify participants in advance prior to termination of services by the following time frame.

- 1 year
- 6 months
- 3 months

Northern Circle Indian Housing Authority
Rental Assistance Program
Policy Guidelines-Berry Creek Rancheria

In order to establish a Rental Assistance Program that is managed in a consistent manner for all participants the following Guidelines are established and apply to all Tribal Rental Assistance Programs managed by Northern Circle.

1. Northern Circle will not rent motel or hotel rooms with program funds for program participants without Tribal Approval. Because motel and hotel room rates far exceed the fair market rent for a studio (apartment) these daily/weekly rentals are not allowed under the Rental Assistance Certificate issued to each participant. This includes efficiency apartments, extended stay hotels, converted motel rooms that rent on a daily or weekly basis. Tenant initial_____
2. All participants are required to notify Northern Circle when they plan to vacate a rental unit that is under a Housing Assistance Payment Contract. Northern Circle requires that participants provide a 30-day written notice when planning to vacate. Failure to notify Northern Circle upon vacating will result in a six month suspension from the program. Tenant initial_____
3. Rental Assistance Program participants are required to make all reasonable attempts to receive the security deposit back from the landlord/property manager upon vacating rental property. All participants must provide Northern Circle with a final accounting of the security deposit for their participant file. This will determine whether or not the recipient is eligible for additional move in costs funds. Tenant initial_____
4. Rental Assistance Program participants must report changes in tenancy including the addition of family members to their lease agreement. This is a requirement of the Housing Assistance Payment Contract and includes all family/household members. Tenant initial_____
5. Rental Assistance Program participants will be notified of the duration of their participation in the Rental Assistance Program upon signing their RA Certificate. Participants will be notified within 3-months of their final payment that the Rental Assistance is scheduled to expire. Tenant initial_____
6. The drug-free housing requirements apply to all Rental Assistance Participants. Participants that violate NCIHA Drug Policies including the Marijuana Cultivation Policy will no longer be eligible for the Rental Assistance Program. Tenant initial_____
7. Northern Circle cannot make loans with rental assistance funds. Funds are paid on behalf of participants based on eligibility, verified income and established

policies. Participants may not re-pay Northern Circle to increase their monthly subsidy and Northern Circle may not pay out lump sum payments (other than move-in costs) and recapture the funds by paying a decreased monthly subsidy. Monthly subsidy payments may only be paid in the amount specified in the Housing Assistance payment (HAP) contract. Tenant initial _____

8. No payment(s) will be released to any property owner/manager without all the required documents returned to Northern Circle including but not limited to:

- Request for Lease Approval
- Housing Inspection Form
- W-9 Tax Payer ID Form

Tenant initial _____

9. All units will be inspected prior to move-in whenever possible. Units that have been occupied by a RA recipient prior to being on the RA program will be inspected prior to the first subsidy payment being issued. In the event staff is unable to perform the required inspection according to the provision the inspection will be performed by the Housing Inspector on the next available date no more than 2-weeks after occupancy and/or receipt of initial subsidy payment.

Tenant initial _____

10. NCIHA requires a minimum of 7 days to process initial payments of security deposit, 1st months rent & other move-in costs. Exceptions to this provision will be evaluated on a case-by-case basis. Tenant initial _____

11. Rental Assistance Participants are not allowed to rent rooms from family members. The only exception can be for full time college students according to the Tribal specific Rental Assistance Policy and will approved on a case-by-case basis.

12. Rental Assistance Participants will be required to recertify annually; Recertification of Family composition and Income is based on the Participant's anniversary date of when their 1st subsidy payment was issued.

- a) **Increases in total tenant payment are to be made effective the first day of the second month following that in which the change occurred.**
- b) **Decreases in total tenant payment are not to be made effective the first day of the month following that in which the change was reported.**

13. If during the annual re-cert process and or during a interim redetermination of family composition/income a household is deemed one of the following:

- a) **Ineligible based on the total household income reported exceeding the adopted income limits of NCIHA**

- b) Ineligible due to failure to maintain a minimum income requirement as established by the Tribal specific Rental Assistance Policy**

NCIHA will notify the Participant in writing of their ineligibility and they will be removed from the rental assistance program in 90 days.

During the 90 day time period NCIHA will make subsidy payments based on the most recent verified income.

In either circumstance should an increase/decrease be reported within the 90 day period, NCIHA will re-evaluate to re-determine program eligibility. If no new information is reported NCIHA will remove the Participant from the Rental Assistance Program.

- 14. Evictions: Rental Assistance Recipients that are evicted from the contracted rental unit during their participation in the NCIHA Rental Assistance Program will be deemed ineligible for the program for a period of 24 months. Evictions will be defined as judgment from a court of law to restore possession of premises to owner. Tenants that leave prior to issuance of judgment will not be penalized except for those tenants as follows:**
- a) Tenants that cause excessive damages to a rental home as documented by the NCIHA Management Staff.**
 - b) Tenants that vacate the rental home without notifying NCIHA.**

15. Relocating

Recipients will be authorized to utilize NCIHA RA Funds to relocate once in a 24 month period. The recipient must pay any other additional relocation costs themselves and the NCIHA staff will transfer the RA payments to the new landlord the first day of the following month.

Recipients may re-use the balance of a security deposit refund but only after the refund has been returned to NCIHA.

**Mgt. Dept. Signature _____
Date _____**

**Tenant Signature _____
Date _____**