

**Manchester/Point Arena
Band of Pomo Indians
RENTAL ASSISTANCE PROGRAM**

Purpose

The Manchester/Point Arena Tribe has established a Rental Assistance Program that will enable the tribe to better serve the housing needs of the Tribal members of the Manchester/Point Arena Reservation.

The Rental Assistance Program will assist member in securing off reservation rental housing to meet their immediate housing needs.

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 safe, decent and affordable
 - Rental property located in a safe and healthy neighborhood for families and their children
- ◆ To assist tribal members in renting decent, safe and standard rental housing that is well maintained, properly managed and within the Fair Market Rents for their area.
- ◆ To meet the housing needs of a greater number of tribal members by maximizing the resources available under the Indian Housing Program - NAHASDA.

Funding

The Rental Assistance Program is funded annually as a portion of the NAHASDA Grant through the U.S. Department of Housing and Urban Development. The amount allocated to the Rental Assistance Program is determined annually by the Manchester/Point Arena Tribal Council.

Rental Subsidy

Subsidy under the Rental Assistance Program will be paid directly to Property Owner/Manager(s). Rental Payments may not be paid to family members of program participants who are "sharing" rent or subleasing a room in a rental unit. All rental leases must be in the name of the recipient.

Rental Assistance Recipients may not rent or sub-let from family members. An exception to this requirement may be considered for full time enrolled students. Each request will be evaluated on a case-by-case basis and will require final approval by the Tribal Council.

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 an applicant who/are:

1. enrolled member(s) of the Manchester/Point Arena Reservation
2. are in good standing with Northern Circle Indian Housing Authority (no outstanding debts)
3. meet the requirements to rent in the private sector from private property owners/managers
4. willing to complete at minimum an 8 hour session in Building Native Communities- Financial Fitness Literacy within the first year of Rental Assistance offered.
5. have not been previously evicted tenants of NCIHA managed on-site housing within the last 5 years.
6. have not been convicted of a serious crime such as but not limited to sexual assault, child abuse, domestic violence and other serious violent crimes.
7. or who do not have a lot/land assignment as recognized by your tribal government.
8. whose family income **does not exceed** the applicable income limits of Northern Circle Indian Housing Authority. (*See Attachment*)

Rental Assistance Income Limits: SEE ATTACHMENT							
1 person	2 people	3 people	4 people	5 people	6 people	7 people	8 people

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.

To be eligible for Rental Assistance at least one household member must be employed or be receiving a cash grant for public assistance (TANF, SSI, UIB, etc).

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 residing on the Manchester/Point Arena Rancheria will be considered a **low-priority for the Rental Assistance Program**. The following exceptions apply:

- 1) **Applicant must relocate for Medical/Health Reasons**
- 2) **Applicant must relocate to attend an Institution of Higher Learning**

Applicants selected for the Rental Assistance Program under this section must first relinquish all rights to their current rental unit.

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 19687, 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 that are otherwise eligible for assistance and who, at the time they are seeking housing assistance are:

Elderly (age 55 & up)	25 pts.
Handicapped/Disabled*	25 pts.
Applicants w/Dependent Children Living in the Household	20 pts.

Veterans	10 pts.
Students	10 pts.
Involuntarily Displaced (through no fault of their own)	10 pts.

A Waiting List shall be maintained for all applicants who do not receive assistance under the initial funding and will be prioritized by the tribal preferences. Adopted Members and applicants pending membership approval will be a low priority for the RA Program.

**Disabled is defined as those persons permanently disabled and receiving assistance from the federal government for persons with disabilities.*

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>
1	1
2	2- 4
3	2-6
4	4-8
5	6-10

The Manchester/Point Arena 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.

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.

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 date provided. Each application shall reflect the date received by NCIHA.

- b) The application together with all other materials relating to the family's eligibility is 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) Applicants and adult household members will be asked to supply a copy of their previous years Income Tax or its equivalent to assist in verifying total household income. If an applicant or adult household member has not filed they will be asked to sign a statement stating they have not filed.

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
TANF Grant(s)

SSI
SDI

Unemployment Insurance

Interim Redetermination of Family Income and Adjustment of Tenant Payments

No tenant payment adjustments are to be offered between dates of annual re-examination.

Reexamination Procedures

Participants will be required to re-apply for the Rental Assistance Program annually; Recertification of Family Composition and Income are commenced in July and are made effective the first day of October each year.

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 be taken.

SECTION 6: FAIR MARKET RENTS

In accordance with the NAHASDA Program, Northern Circle Indian Housing Authority is required to pay no more than **Fair Market Rents** that are periodically published in the Federal Register. These amount will change annually and as new FMRs are published.

Fair Market Rents for Existing Housing						
Metropolitan FMR areas	0br	1br	2br	3br	4br	Counties
Santa Rosa	758	923	1165	1653	1933	Sonoma
Mendocino	520	641	779	1063	1366	Mendocino

These amounts will be applied to the Rental Assistance Program until revised.

SECTION 7: 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 shall not exceed the lower of either ½ the Contract Rent or ½ the Fair Market Rent for the unit.

SECTION 8: MINIMUM SUBSIDY

Each Participant that is approved for the Rental Assistance Program shall receive a minimum rental subsidy in the amount of **\$200** per month.

SECTION 9: 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 10: AREA OF OPERATION

Mendocino, Lake and Sonoma Counties – the current resolution from the Manchester/Point Arena Tribe establishes Mendocino County, Lake County and Sonoma County as the area of operation for the tribe. All Rentals approved under the program must be located in these counties. The only exception will be for students that are attending institutes of higher learning and must relocate to the location of the college/institute.(see Student Rental Assistance Policy)

SECTION 11: MOVE-IN COSTS

Participants in the Rental Assistance Program may use a **portion or all** of their “Annual Allocation” for Move-in Costs. The Annual Allocation Rental Assistance Funds is the approved monthly subsidy multiplied by 12 months. **The minimum annual allocation is \$2,400.00**

- Allowable Move-in Costs are as follows:
Maximum of two (2) months Rent
Security Deposit
Cleaning Deposit

Move-in Costs will be deducted from the Annual Allocation in a Lump Sum. Any remaining subsidy will be divided into 12 equal payments and paid on a monthly basis.

- Related Moving Costs for applicants – moving costs may be paid for rental assistance recipients. Related moving costs may include:

Moving Van Rental
Utility Deposits

SECTION 12: MAXIMUM PROGRAM PARTICIPATION

Rental Assistance Program Participants are eligible for a maximum service of 5 years or 60 months of assistance. Sporadic assistance payments will be totaled and may not exceed 60 months of service.

When Rental Assistance Participants have reached their maximum service Northern Circle will notify participant 1 year in advance and send reminders at 6 months and finally at 3 months prior to termination. Northern Circle will do this to allow participant time to transition off the program.

An exception to this requirement may be considered for permanently handicapped individuals that are currently receiving rental assistance services. This determination will be based on a case by case basis for participants who are permanently handicapped. Once disability has been verified through Social Security Administration participant will be exempt from termination of rental assistance services. A medical physician note and or recommendation will not be acceptable for purposes of meeting this requirement.

SECTION 13: ACCURATE REPORTING

All applicants shall disclose truthful and accurate information in regards to program requirements. If at any time during the participants' participation on the MPA Rental Assistance Program NCIHA receives verified or verifiable information that a participant did omit or withhold information pertinent to the participants' eligibility the Rental Assistance subsidy will end immediately and the participant would not be eligible for future Rental Assistance Services.

Northern Circle Indian Housing Authority
Rental Assistance Program
Policy Guidelines-Manchester/Point Arena 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 _____**