

YUROK INDIAN HOUSING AUTHORITY



LOW RENT ADMISSION POLICY

I. INTRODUCTION

All policies adopted by the Yurok Indian Housing Authority are intended for the benefit and well being of its communities and residents. This **LOW RENT** Admission Policy is hereby incorporated into all Resident Occupancy Agreements by reference. This is also to be posted prominently in the Housing Authority office and be made available to applicants and residents upon request.

A. ELIGIBILITY FOR ADMISSION TO YIHA'S RESIDENT HOUSING PROGRAM

To qualify for admission, an applicant must submit a complete and signed application and must meet all of the following conditions:

1. Qualify as a Family;
2. Be 18 years of age or older;
3. Sign all the required forms including a Release of Information form for all family members age 18 or older;
4. At admission, his/her gross household income, before deductions, cannot exceed the higher of the national or local Income Limits as published by HUD and adopted by the YIHA Board of Commissioners;
5. As a rental applicant is able to fulfill all of the obligations of a resident as outlined in the Resident Occupancy Agreement, including paying the required security deposit, making the required monthly payments on time and paying all utility costs on time;
6. The conduct of the applicant family in present and prior housing has been such as would not be likely to adversely affect the health, safety or welfare of other residents, the home, facilities or physical environment nor the financial stability of the project. The relevant information regarding habits or practices to be considered in determining the eligibility of applicants includes: For purposes of this section, the term "tenants" includes homebuyers who are purchasing a home pursuant to a lease purchase agreement.
 - a. An applicant's record of disturbing neighbors, destroying property or having living or housekeeping habits at prior residences, which may adversely affect the health, safety or welfare of other residents, will disqualify them from the YIHA housing program.
 - b. As required by section 208 (Availability of Records) of NAHASDA, the National Crime Information Center, police departments, and other law enforcement agencies shall provide criminal conviction information to Indian Tribes and TDHE's upon request. Information regarding juveniles shall only be released to the extent such release is authorized by the **federal** law or **Indian tribe**. No applicant shall be eligible for admission, for HUD assisted housing if the applicant, has previously been evicted from a **YIHA** home, unless all outstanding balances owed by said prior resident are paid in full and the applicant demonstrates to the **YIHA** the applicant will be a satisfactory resident. **If evicted, applicants will be eligible to be put on the waiting list for services after a period of five years with evidence of good standing and meet all other eligibility criteria.**

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- c. The recipient shall use **violent criminal acts and cases of drug use within the last (5) five years and any sexual offense** for applicant screening, lease enforcement and eviction actions. The information **shall** be disclosed only to any person who has a job related need for the information and who is an authorized officer, employee, or representative of the recipient or the owner of housing assisted under NAHASDA.

If the YIHA receives unfavorable information about an applicant, consideration will be given to the time, nature and extent of the applicant's conduct and to factors, which indicate the likelihood of favorable future, conduct, such as:

1. Evidence of **3 years of** payment of debts and rents owed;
2. Evidence of the offender's successful participation in rehabilitation or other appropriate counseling programs, including no relapses during the previous **36** months.

All information obtained from and about an applicant household will be held in strictest confidence, respecting each individual's right to privacy. Applicants will be informed that they have the right to appeal YIHA actions or its failure to act through the formal grievance procedure.

B. RECEIPT OF APPLICATIONS AND DETERMINATION OF ELIGIBILITY

1. A family must indicate on their application that they want to participate in the YIHA Low Rent program. An applicant may indicate on their application that they want to be considered for the homeownership program also. YIHA residents will be allowed to use the date of their original Rental application as their Homeownership application date.
2. All complete applications will be date stamped when accepted by the YIHA.
3. A preliminary determination of eligibility will be made based solely on the information in the application. Verification of household income and background checks will be made just prior to the offer of a home and prior to the signing of any lease. A final determination of eligibility will be made at that time.
4. Applications from families already on a waiting list for any YIHA housing will have the same date when applying for other YIHA housing. The filing of an application for homebuyer housing by a family which is an applicant for other YIHA housing, or is a resident in such housing, will in no way affect its status with regard to such other housing. The applicant will not lose its place on another YIHA housing waiting list until it has been selected as a homebuyer and the Homebuyer Agreement has been signed.
5. **To be selected, an applicant must agree to participate in the YIHA Homebuyer's Education Class which will allow them to be placed on the Homebuyer's waiting list.**

C. NOTIFICATION TO FAMILIES NOT MEETING ADMISSION REQUIREMENTS

If an applicant is found to be ineligible for admission, the YIHA will give him/her a written

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notice, which will state the reason for the ineligibility. The Housing Authority staff shall make every effort to respond to the applicant's concerns resulting in their ineligibility. If the ineligibility remains unresolved, the applicant has a right to the grievance procedure. All applications from families determined to be ineligible will be retained by the YIHA for at least three years from the date of application.

D. DOCUMENTATION AND VERIFICATION OF INFORMATION PROVIDED BY APPLICANTS

All written statements made by the family in the application that may affect the determination of eligibility or the level of payments will be independently verified by the YIHA before any agreements are signed and before move-in. The YIHA will assure accurate determination of eligibility and payments while at the same time respecting the privacy of applicants as cited in the YIHA Occupancy Policy regarding Documentation and Verification of Information.

E. TOTAL FAMILY ANNUAL INCOME:

Yurok Tribal members whose total household annual income does not exceed HUD's established income limits. Annual income is defined for the purpose of this policy as the following: As reported under the Census long-form for the most recent available decennial Census.

Annual income includes, but is not limited to:

- (a) wages, salaries, tips, commissions, etc.;
- (b) self-employment income;
- (c) farm self-employment income;
- (d) interest, dividends, net rental income; or income from estates or trusts;
- (e) Social security or railroad retirement;
- (f) Supplemental security income, aid to families with dependent children, or other public assistance or public welfare program;
- (g) Retirement, survivor, or disability pensions; and
- (h) Any other sources of income received regularly, including Veterans' (VA) compensation, and alimony.

Annual income does not include the following:

- (a) Money received from the sale of property (unless the recipient was engaged in the business of selling such property);
- (b) The value of income "in-kind" from food stamps. Public housing subsidies, medical care, employer contributions for persons etc.;
- (c) Withdrawal of bank deposits;
- (d) Money borrowed
- (e) Tax refunds;
- (f) Exchange of money between relatives living in the same household; and

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- (g) Gifts and lump-sum inheritances, insurance payments, and other types of lump-sum receipts.

Adjusted Annual Income:

To determine appropriate monthly payments, the following amounts will be deducted from a household's total anticipated annual income, as defined above:

1. \$480 for each dependent.
2. \$400 for a family with at least one member 62 years or older (elderly family).
3. (a) For any elderly family a medical deduction will be given for medical expenses, which exceed three percent (3%) of their gross household income. Medical expenses are those medical expenses, including medical insurance premiums that are anticipated during the period for which annual income is computed and that are not covered by insurance.
(b) Handicapped assistance expenses, which exceed three percent (3%) of annual income.
(c) For an elderly family, combined medical and handicapped assistance expenses that exceed three percent (3%) of annual income.
4. Child care expenses of children under 13 years of age where necessary to enable a family member to be gainfully employed or to further his or her education. The amount deducted will not exceed the amount of income derived from such employment. Where a competent adult is not working and not in school, no deduction is allowed.
5. A deduction for travel expenses in addition to the child care deduction, for excessive travel expenses. This deduction shall be used if travel expenses are greater than childcare expenses, but will not exceed \$25.00 per week (\$1,300/ yr.). This deduction will only be approved for employment or educational related travel. The YIHA will require that the Homebuyer Resident maintain a mileage log or provide receipts to verify this deduction.
6. Handicapped Assistance Expenses are reasonable expenses that are anticipated during the period for which Annual income is computed for attendant care and auxiliary apparatus for a Handicapped or disabled family member that are necessary to enable a family member (including the handicapped or disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed from outside sources.

E. ADMISSION PREFERENCE

Preference will be given to applicants who are determined eligible: As defined in ADDENDUM "B" Selection Rating and Selection of Residents

F. APPLICANT REJECTION OF HOME

An applicant may reject the home offered with good cause and retain his/her position on the waiting list and be offered the next appropriate vacancy. "Good cause" may include, but is not limited to undue hardship such as employment, school or medical at the time of the offer.

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G. OCCUPANCY STANDARDS

See Addendum "C".

C*E*R*T*I*F*I*C*A*T*I*O*N

This is to certify the Low Rent Admissions Policy of the Yurok Indian Housing Authority was approved at a duly called meeting of the Board of Commissioners on October 6, 2009 at which a quorum was present and the Low Rent Admissions Policy was adopted by a vote of 5 For, __ Apposed, and __ Abstentions.

Wanda Green, Chairperson
Yurok Indian Housing Authority Board of Commissioners

ATTEST:

Kerri Malloy, Secretary
Yurok Indian Housing Authority Board of Commissioners