

SPOKANE INDIAN HOUSING AUTHORITY

COVID-19

EMERGENCY HOUSING ASSISTANCE

COVID-19 Emergency Housing Assistance Policy

Adopted: June 25, 2020; R2020-011

Amended: February 3, 2021

Table of Contents

Purpose of the Admissions and Occupancy Policy – Emergency Housing Assistance	1
Eligibility for Housing Programs	2
Family Composition	2
Income Limits	2
Social Security Number Requirements	2
Other Criteria for Admission	2
Disqualifying Information	3
Receipt of Applications and Determination of Eligibility	4
Establishing Waiting Lists	4
Procedure Governing Receipt of Applications	4
Determination of Eligibility	4
Determination of Ineligibility	4
Eligible Uses of Funds	5
Allowable Use	5
Impermissible Use	5
Payments	5
Inspections	5
Appendices	
Appendix A – NAHASDA Definitions	6
Appendix B – Income Guidelines	14
Appendix C – Income Calculation	19

Purpose of the Admission and Occupancy Policy for Emergency Housing Assistance

A. Purpose of Emergency Housing Assistance

Provide emergency temporary housing assistance to Indian families who are in immediate need of shelter because they are either homeless or about to become homeless, including those living in unsafe conditions including domestic violence or other safety conditions. Preference will be given to Spokane Tribal Members.

B. The purpose of the Admissions and Occupancy Policy for Emergency Housing is as follows:

1. To provide a standard policy which will enable the Housing Authority staff to administer the program consistently and fairly.
2. To provide a training document for newly hired staff.
3. To provide answers to program questions which are beyond the scope of the Federal Regulations.
4. To provide applicants and tribal members with a basis for the requirements and decisions of the Spokane Indian Housing Authority.

C. The Admissions and Occupancy Policy for Emergency Housing can only be amended by the Board of Commissioners of the Spokane Indian Housing Authority.

D. If any provision of this policy for Emergency Assistance conflicts with Federal Statutes and Regulations, the Federal Statutes and Regulations will prevail.

E. This Emergency Assistance Policy will use the appropriate Federal Waivers and Guidelines that may apply during any time the Spokane Indian Housing Authority is under an emergency declaration.

Eligibility for Emergency Assistance Housing Program

1. Family Composition. A family may consist of any of the following per NAHASDA Statute 4 (6):
 1. A single person who is 18 years or older, or anyone under the age of 18 who has been legally emancipated;
 2. An Elderly family whose head of household or spouse is 62 years of age or older
 3. A Disabled family whose head of household or spouse is disabled;
 4. Near Elderly family whose head of household or spouse is 55 years of age or older; or
 5. Two or more persons who will live regularly together in the same dwelling unit including foster children, live in aides, and other persons deemed essential to the wellbeing of the family.

2. Income Limits. Except as noted below, the Family must be considered low income. Under 24 CFR 1000.104, income cannot exceed 80% of the nation or local income levels as noted in Appendix B. Annual income is determined using the Section 8 method or the IRS method as defined in HUD Program Guidance 2013-05(R) and included as Appendix C of this policy. The income method used will be the one most beneficial to the applicant family. Appendix C identifies the income inclusions and exclusions for each type of income determination.

- C. Social Security Number Requirements. Families are required to provide Social Security numbers for all family members prior to admission.

- D. Other Criteria for Admission. Families must provide the following information to determine eligibility under Emergency Assistance:
 1. Signed complete application for COVID-19 Emergency Housing Assistance. All family member 18 and older must sign the application and the release of information to SIHA.
 2. An explanation of the reasons for COVID-19 Emergency Housing Assistance, such as:
 - a. Living in unsafe conditions

- b. Homeless
 - c. Near Homeless
 - d. Emergency Declaration for the area which results in additional need for housing to address the emergency conditions
3. Proof of membership in a federally or State Recognized Tribe. Preference will be given to members of the Spokane Tribe.
 4. Documentation of income for all adult family members.
 5. Must reside within SIHA's service area (Spokane Reservation, Lincoln County, Stevens County, Spokane County, and Pend Oreille County).

E. Disqualifying Information. The following factors will cause a family to be ineligible for admission:

1. Any member of the family who is a registered sex offender will not be eligible for admission.
2. Any member of the family who has engaged in drug related or violent criminal activity per SIHA's Criminal Policy.

Receipt of Applications and Determination of Eligibility

- A. Receipt of Applications. Applications will be accepted in person or by mail to the Housing Authority office. Depending on circumstances including Emergency declaration or other situation that threatens the Applicant's health or physical safety, applications may be accepted via fax or telephone.

- B. Establishing Waiting Lists. Because Emergency Assistance is by definition an emergency situation, Applicants will be served on a first come, first served basis based upon the time and date of the completed application.

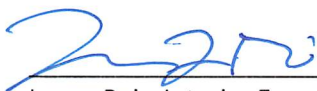
- C. Determination of Eligibility. Applications will be processed as quickly as possible due to the emergency nature of the assistance. Staff may use all available means to verify income and other information including phone calls and written statements from 3rd parties. The reasons that normal written representations were not used shall be documented in the applicant file and signed by the staff member.

- D. Ineligible Applicants. Applicants who fail to provide all requested information will be notified and given an opportunity to provide the information. Notification will be in writing if possible, but email or phone call may be used as long as the staff person details what was done, when it was done, and why written notice would not be reasonable.

Eligible Use of Funds

- A. Emergency Assistance funds may be used for the following:
1. Move-In Assistance: Deposit plus first and last month's rent on a unit;
 2. Rent for unit (apartment, mobile home, room, house, nursing home, group home, transitional living center, motel, or other room in an established business) occupied by the applicant family;
 3. Mortgage payment for a home already occupied by the applicant family;
 4. Delinquent rent with any documented late fee;
 6. Delinquent mortgage payment with any documented late fees.
- B. Impermissible Uses. Assistance may not be used to pay rent to an immediate family member of the applicant or to any person with whom the applicant resides.
- C. Payments:
1. Will be made to the owner/managing firm of the unit. The applicant family will not receive a direct payment.
 2. Period of assistance will not to exceed 12 months with maximum support of \$1,000/month plus deposit and late fees
- D. Inspections. Applicants will be responsible for inspection of the unit prior to move in. Applicants are responsible for selecting a unit appropriate to the size and needs of the family.

Adopted by Board of Commissioners on February 3, 2021.



Loren Bair, Interim Executive Director

Appendix A – NAHASDA Definitions

Adjusted Income. The Annual Income of an Eligible Family less:

A. \$1,000 for each Dependent.

B. \$400 for any Elderly Family.

C. Child Care Expenses, as defined below.

D. Medical Expenses which exceed three percent (3%) of the Annual Income of any Elderly Family or Disabled Family.

E. Medically related travel expenses, of \$200.00 per month up to \$2400.00 annually.

Verification and update info required.

F. Handicapped Assistance Expenses, as defined, in excess of three percent (30/0) of Annual Income.

G. Excessive travel expenses, as per Section 4 of NAHASDA related to employment and education, not to exceed \$25.00 per family per week or \$1,300 per year.

Anniversary Date of Lease. Day of the year on which the Lease was initially executed.

Annual Income. The anticipated total Annual Income of an Eligible Family from all sources for the 12-month period following the date of determination of Income.

Child Care Expense. Amounts anticipated to be paid by the Family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a Family member to be gainfully employed or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care, and in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of Income received from such employment.

Citizen. A citizen of the United States.

Contract Rent. Tenant Rent, as defined.

Dependent. A member of the Family household including relative placements (excluding State or Tribal program foster children), other than the Head of Family or Spouse, who is under 18 years of age or is a Disabled or Handicapped Person or is a full-time student over the age of 18.

Designated for the Elderly or Handicapped. Any development, including any building within a mixed use development, that was designated for occupancy by the elderly or handicapped at its inception, or, although not so designated, for which the Authority gives preference in tenant selection for all units in the development, or for a building in a mixed-use development, to elderly or handicapped families.

Disabled Person. A single person capable of living independently or a member of a Family who can live independently with the aid of Family members, and who is under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423), or who has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights.

A. Section 223 of the Social Security Act defines "disability as:

1. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to last for a continuous period of not less than twelve (12) months; or
2. In the case of an individual who has attained the age of 55 and is blind within the meaning of "blindness" as defined in Section 416(1) of the Social Security Act, inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.

B. Section 102(7) of the Developmental Disabilities and Bill of Rights defines "developmental disability" as: A severe chronic disability that

- (a) is attributable to a mental and/or physical impairment;
- (b) is manifested before the person attains age 22;
- (c) is likely to continue indefinitely;
- (d) results in substantial functional limitations in three (3) or more of the following areas of major life activity:
 1. self care;
 2. receptive and responsive language
 3. learning;
 4. mobility;
 5. self-direction
 6. capacity for independent living; and
 7. economic self-sufficiency; and
- (e) reflects the person's need for a combination and sequence of special, interdisciplinary or generic care, treatment or other services which are of lifelong or extended duration and are individually planned and coordinated.

Displaced Person. A person displaced, whose dwelling unit has been extensively damaged or destroyed as a result of a disaster.

Dwelling Lease. A rental agreement between the Housing Authority and the tenant. The Dwelling Lease shall, among other things, reflect the rent currently being charged and the conditions governing occupancy.

Dwelling Unit. A Unit, as defined.

Elderly Family. A Family who's Head of Family, Spouse, or sole member is at least 62 years of age. It may include two (2) or more elderly living together, or one (1) or more such persons living with another person who is determined to be essential to his/her care and well-being.

Eligible Family. A family who meets the requirements. Family. One or more persons applying for or living in a dwelling unit. A Family can consist of any of the following:

A. An Elderly Family, as defined in this Section.

B. Two (2) or more persons who intend to live together and whose income and resources are available to meet the family's needs, with the following clarification:

1. There can also be other unrelated persons living in the household, such as foster children, if it is determined that the unit will not be overcrowded.
2. Persons residing with a Family to permit the employment of a sole wage earner, or solely because the person is essential to the care of a family member, shall not be considered a family member when determining eligibility at admission or for continued occupancy.
3. Children are considered family members if they either currently reside, or it can be reasonably be anticipated that they will reside, with the Family at least six (6) months a year. Verification needed from both parents or legal guardians. If the child resides in more than one home, the families shall decide which household claims the dependent deduction for the child.

C. A single person, 18 years or older; or anyone under 18 years of age that has been legally emancipated.

D. The remaining member of a tenant family.

E. A displaced person.

Essential Family. A family that has been determined to be beneficial to the wellbeing of Indian families in the area.

Full Time Student. A person who is enrolled in a certified educational institution and is considered a full-time student under the standards and practices of the institution attended.

Handicapped Assistance Expenses. 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, and that are necessary to enable a Family member (including

Handicapped and Disabled members) to be employed; provided that, the expenses are neither paid to a member of the Family nor reimbursed by an outside source.

Handicapped Person. A person having physical or mental impairment:

- (1) which is expected to be of long-continued and indefinite duration;
- (2) which substantially impedes that person's ability to live independently; and
- (3) which is of such nature that the ability to live independently would be substantially improved by more suitable housing conditions such as those provided by the Program.

Housing Authority. A Public or Indian Housing Authority.

HUD. The U.S. Department of Housing and Urban Development or its designee.

Income. Income from all sources received of each member of the household, as determined in accordance with criteria prescribed by the Secretary, except the following amounts may not be considered as income under this paragraph:

- A. Any amounts not actually received by the family;
- B. Any amounts that would be eligible for exclusion under section 1613(a)(7) of the Social Security Act.
- C. Any amounts received by any member of the family as disability compensation under Chapter 11 of Title 38, United States Code, or dependency and indemnity compensation under Chapter 13 of such title.

Indian. Any person enrolled and recognized as being an Indian or Alaska Native by an Indian Tribe, the Federal Government or any State.

Indian Housing Authority. An entity that is authorized to engage in or assist in the development or operation of lower income housing for Indians that is established either by exercise of the power of self-government of an Indian Tribe independent of State law; or by operation of State law providing specifically for housing authorities for Indians, including regional housing authorities in the State of Alaska.

Indian Tribe. "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) [43 U.S.C.A. § 1601 et seq.], which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

Lease. Dwelling Lease, as defined.

Live-In-Aide. A person who resides with an Elderly, Disabled or Handicapped Person (or Persons) and who (a) is determined by the Authority to be essential to the care and wellbeing of the person; (b) is not obligated for support of the person; and (c) would not be living in the unit except to provide necessary supportive services.

Low Income Family. A Family whose Annual Income does not exceed eighty percent of the median income for the nation or the area, whichever is greater. These amounts will be updated annually by HUD and included in Appendix B of this document.

Medical Expenses. Those out-of-pocket 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.

Military or Naval Service of the United States. Service in the Army, Navy, Air Force, Marine Corps or Coast Guard. Such service does not include the Merchant Marine, Red Cross, UNRRA, or any other organization not actually a part of the Military or Naval Service of the United States.

Monthly Adjusted Income. One-twelfth (1/12) of the Adjusted Income.

Monthly Income. One-twelfth (1/12) of the Annual Income.

Near Elderly Family. A Family whose Head or Spouse (or sole member) is at least fifty-five (55) years of age but below the age of sixty-two (62) years.

Net Family Assets. The net cash value, after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds and other forms of capital investment, excluding interest in Indian Trust land. In determining Net-Family Assets, the value of any assets disposed of by an applicant or tenant for less than fair market value (including disposition in trust but not in foreclosure or bankruptcy sale) during the two (2) years preceding the date of application for the program or reexamination, as applicable, shall be included in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

Non Low Income Family. A family who has income above 80% of the median income but below 100% of the median income as detailed in Appendix B.

Occupancy Standards. Standards established by the Authority governing the allowable size of Family occupying a particular size of Dwelling Unit.

Overcrowded Unit. A Unit occupied by more than the number of persons permitted by the Authority's Occupancy Standards.

Preference. A means of ensuring that housing assistance is directed to those with greatest housing needs by providing housing or assistance to applicants in certain categories prior to others on the waiting list who applied earlier.

Primary Residence. The residence at which the owner lives and maintains as a permanent address.

Public Assistance. Welfare or similar payments to Families which are made under programs funded by Federal, State and/or Local Governments.

Public Housing Authority. Any State, county, municipality or other governmental entity or public body, or an agency or instrumentality thereof that is authorized to engage in or assist in the development or operation of housing for lower income families.

Rent. The actual amount due under a lease or occupancy agreement (calculated on a monthly basis). Tenant supplies utilities.

Reservation Area. An area of the reservation, not necessarily a specific subdivision or cluster of homes. Areas include West End area, Wellpinit area, Ford Area (Martha Boardman, Kokanee, Ford Cluster, New House Lane, and Reservation Road).

Single Person. A person living alone, or intending to live alone, who does not qualify as an Elderly Family, a Displaced Person, or as the remaining member of a tenant Family.

Substandard Housing. Those dwellings in which one or more of the following conditions are found to exist:

- A. Location. The location of the Unit is such that it creates a health, fire or safety hazard for the occupants of such Dwelling Unit.
- B. Condition of Structure. The condition of the Structure is such as to create serious safety or health hazards by reason of structural deficiencies or of continuous dampness or exposure brought about by neglect or dilapidation.
- C. Water Supply. Lack of potable running water within the Dwelling Unit.
- D. Sewage System. No connection between plumbing fixtures and adequate sewage disposal system.
- E. Toilet Facilities. No flush toilet in the Dwelling Unit, or if present, unfit for use.
- F. Bath Facilities. No bathtub or shower in the Dwelling Unit, or if present, unfit for use.
- G. Kitchen Facilities. Lack of permanent, safe and reasonably efficient kitchen facilities within. The Dwelling Unit, including a sink with running water and provisions for a cooking stove.

- H. Lighting Facilities. Dwelling Unit not wired, or inadequately wired, for electric lighting.
- I. Heating Facilities. Heating facilities inadequate or unsafe.
- J. Has been declared unfit for habitation by an agency or unit of government.

Total Tenant Payment. The calculated monthly rent payable by the eligible Family for occupancy of the Dwelling Unit before allowable deductions, if any. The amount paid by a low income family may not exceed 30% of the family's monthly adjusted income.

Unauthorized Resident. Occupant of a unit who is not a member of the Family, as specified in the Lease, and whose presence in the unit has not been authorized by the Authority.

Unit. The residence (apartment, house, etc.) owned and/or managed by the Housing Authority and rented to an Eligible Family. The size of the Unit is determined by the number of bedrooms and may range from one (1) bedrooms to five (5) bedrooms.

Utility Allowance. Where the cost of utilities and other housing services for a Dwelling Unit (not including telephone service) is not included in the Tenant Rent but is the responsibility of the Family, an amount equal to the estimate, made and approved by the Authority, of the monthly cost of a reasonable consumption of such utilities and other services for the Unit by an energy-conservation household of modest circumstances consistent with the requirements for a safe, sanitary and healthful living environment.

Utility Deposit. An amount paid by a Family to a public utility to secure service to the Dwelling Unit.

Very Low-Income Family. A Family whose Income does not exceed forty percent (40%) of the median income for the area, as determined by HUD, with adjustments for smaller or larger families.

Veteran. A person who has served in active Military or Naval Service of the United States at any time and who shall have been discharged therefrom under conditions other than dishonorable.

Visitor. A person temporarily residing in a Dwelling Unit with a Family for a period of not more than seven (7) days during any thirty day period. Persons residing longer than seven (7) days, without the prior permission of the Authority, shall be determined to be Unauthorized Resident. The repeated presence of additional persons in the Unit and/or their use of the Unit for purposes such as receiving mail or storing possessions may be cause for the Family's Rental Agreement to be terminated.

Welfare Assistance. Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.

Appendix B – Current Income Guidance and Area Guidelines

**Appendix C – HUD Program Guidance 2013-05 (R) Calculating
Income for Purposes of Eligibility**