TCDCMA-20-01

RESOLUTION OF THE TRANSPORTATION AND COMMUNITY DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL

Approving the Housing Discretionary Funds Policies and Procedures

WHEREAS:

1. Pursuant to 2 N.N.C. Sections 420 and 421, the Transportation and Community Development Committee of the Navajo Nation Council is established and continued as a standing committee of the Navajo Nation Council with the authority to promote the development of chapter governments, and promulgate policies and procedures to improve the housing conditions in the Navajo Nation; and

2. Pursuant to CS-79-98, Housing Discretionary funds were administered by the Navajo Housing Services Department within the Division of Community Development, but since 1998, the chapter itself administers the funds. The policies and procedures have not been updated to reflect the above-mentioned change in administration. This has caused confusion at the chapter level; and

3. The Transportation and Community Development Committee of the Navajo Nation Council finds it is necessary to assist the Navajo Nation chapters by providing policies and procedures to guide them in administering Housing Discretionary Funds where the chapters lack policies and procedures of their own.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Transportation and Community Development Committee of the Navajo Nation Council here approves the Housing Discretionary Funds Policies and Procedures attached hereto as Exhibit "A".

2. The Transportation and Community Development Committee of the Navajo Nation Council respectfully requests the President of the Navajo Nation and the Executive Director of the Division of Community Development to ensure that the 110 chapters of the Navajo Nation are provided copies of and given notice of Exhibit "A".

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CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Transportation and Community Development Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and the same was passed by a vote of 4 in favor, 1 opposed, and 1 abstained, this 6th day of March, 2001.

Lawrence T. Morgan, Chairperson
Transportation and Community
Development Committee of the
Navajo Nation Council.

Motion: Sampson Begay
Second: Andrew Simpson

EXHIBIT "A"

_____ CHAPTER

HOUSING DISCRETIONARY FUNDS
POLICIES AND PROCEDURES

I. PURPOSE

The purpose of these policies and procedures is to provide guidance to chapters in administering Navajo Nation Housing Discretionary Funds where the chapter lacks policies and procedures of its own. The Navajo Nation appropriates these funds to provide eligible Navajos with housing assistance in the form of minor repair, major repair, renovation, addition, electrical wiring, and new construction costs.

II. DEFINITIONS

A. "chapter administration" means the employees of the chapter which includes, but is not limited to, the chapter manager and clerk-typist.

B. "chapter manager" means a chapter employee who performs the duties prescribed in 26 N.N.C. §§ 1004(B), 1004(C), and 2003(B), and includes those employees referred to as community service coordinators.

C. "handicapped" means a person who is legally blind, legally deaf, physically disabled due to the loss of one or more limbs, chair or bed bound, unable to walk without crutches or walker, a mentally disabled adult who requires a companion to aid in basic needs, or prevented from minor physical exertion such as housework due to severe health or respiratory problems.

4. "houses" means framed construction (conventional, prefab, modular, steel, etc.), block and brick construction, log construction, hogan construction (log or framed), adobe construction (traditional Pueblo adobe, stabilized or semi-stabilized adobe, compressed adobe block, adobe as a filler material, rammed earth, etc.), solar energy construction (passive, active, and appropriate technology).

III. TYPES OF ASSISTANCE

A. Category A (Minor Repair) is for minor repairs and maintenance type work for occupied existing houses.

B. Category B (Major Repair or Addition) is for repairs of occupied existing houses to bring the structures up to safe and livable conditions, and may include plumbing and electrical work. It also is for additions to occupied existing houses in order to provide more adequate living spaces or bathrooms for sanitation reasons.

C. Category C (Partial Assistance) is for partially financed, self-help construction of new houses. Electrical wiring and plumbing is allowed under this category.

D. Category D (New Construction) is for construction of new houses with electrical wiring and plumbing.

IV. EXPENDITURE REQUIREMENTS AND REPORTING

A. All expenditures shall be duly approved by the chapter membership and set out in the budget.

B. The chapter administration shall make proper accounting and bookkeeping entries for all expenditures.

C. The chapter has the discretion to allow for pre-construction costs including costs associated with obtaining home site leases, including but not limited to, archeological survey costs, environmental clearance costs, and land survey costs.

D. Prior to commencing any work, the chapter manager shall prepare a Statement of Work to be undertaken which lists the construction expenditures and a brief description of the construction plan.

E. Upon completion of the work, the chapter manager shall prepare a Performance Report briefly describing the a accomplishments as they relate to the Statement of Work.

F. At the end of each quarter, the chapter administration shall prepare a written expenditure report which includes a brief description of the expenditures and achievements for that quarter. The chapter administration shall submit the report to its Local Governance Support Center.

V. PROJECT APPLICATION

A. To be eligible to receive Housing Discretionary Funds, an applicant must be:

1. A registered member of the chapter;
2. In possession of a Certificate Degree of Indian Blood;
3. In possession of a Social Security Card;
4. Able to prove home ownership by title or lease;
5. Able to prove the home is the primary residence of the applicant; and
6. Able to prove the home is in need of renovation, repair, or improvement.

B. The applicant must submit:

1. A completed Checklist of Required Documents (See sample form attached hereto as Attachment A);
2. A completed Housing Application (See sample form attached hereto as Attachment B);
3. A completed Income Verification Statement (See sample form attached hereto as Attachment C);
4. Evidence of land ownership or potential ownership in the form of an affidavit or documented proof of fee title, trust title, leasehold interest, use permit, indefinite assignment, or other exclusive possessory interest including customary use;
5. For funding pursuant to Category D and on Navajo Nation trust or allotted trust land, Navajo Homesite Leases, Residential Leases, or allotment records are required. Certification from the Office of Navajo Land Administration can be utilized in lieu of Navajo Homesite or Residential Leases provided local clearances are in order and Homesite Lease processing is assured in the near future. Alternatively, an affidavit signed by the Chapter Officers and Grazing Committee Members stating there is no land disputes where construction is to occur can be utilized in lieu of the records or certification mentioned above;
6. For funding pursuant to Category C, evidence that partial construction has occurred;
7. Authorization for Release of Information (See sample form attached hereto as Attachment D);

8. A map to the property;
9. A copy of each household member's social security card;
10. A copy of the applicant's Certificate Degree of Indian Blood; and
11. A list of materials and their cost or bid sheet.

C. The chapter manager shall make sure all documents have been properly completed, dated and signed by the applicant.

VI. SELECTION PROCESS

A. The chapter membership shall annually appoint a selection committee which will evaluate, rank, and make awards.

B. The selection committee shall develop and utilize a ranking system which ensures priority for eligibility, serving those with the greatest needs first. The five basic factors in the ranking system shall include:

1. Annual household income;
2. Family size;
3. Overcrowded living conditions;
4. Unsanitary or unsafe living conditions; and
5. Elderly, handicapped or disabled.

C. The point allocation sheet shall be kept in each applicant's folder and record the points given to the applicant for each of the above-mentioned factors.

VII. MONITORING

A. The chapter manager shall have the day-to-day oversight responsibility for the administration of all chapter activities involving the Housing Discretionary Funds.

B. The Local Governance Support Center shall have expenditure oversight and ensure that all chapter allocations are expended in accordance with applicable Navajo Nation, state and federal law.

C. The Transportation and Community Development Committee of the Navajo Nation Council shall have nationwide oversight responsibility for chapter Housing Discretionary Fund activity.

VIII. AMENDMENTS

The *Housing Discretionary Funds Policies and Procedures* may be amended as deemed necessary by the Transportation and Community Development Committee of the Navajo Nation Council.

CHECKLIST OF REQUIRED DOCUMENTS

_____ 1. Housing Application

_____ 2. Income Verification Statement

_____ 3. Evidence of Land Ownership

_____ 4. Authorization for Release of Information

_____ 5. Map to Property

_____ 6. Copy of Social Security Card for Each Household Member

_____ 7. Copy of Applicant's Certificate Degree of Indian Blood

_____ 8. Referrals from Physician, Social Worker, Community Health Representative, or other Entity (If Applicable)

HOUSING APPLICATION
FOR HOUSING DISCRETIONARY FUNDING

NAME: SOCIAL SECURITY NUMBER:

CENSUS NUMBER: SPOUSE'S NAME:

PERMANENT ADDRESS:

PHONE NUMBER: DATE OF BIRTH:

CHAPTER: AGENCY: MALE [ ] FEMALE [ ]

NAME OF ANY RELATIONS YOU HAVE WHO ARE EMPLOYED BY THE CHAPTER OR SERVE AS ELECTED OFFICIALS:

NAMES OF PERSONS LIVING IN THE HOUSEHOLD ON A PERMANENT BASIS:

INCOME INFORMATION OF ALL PERSONS OVER 16 YEARS OF AGE LIVING IN THE HOUSEHOLD BEGINNING WITH THE APPLICANT'S INCOME (ATTACH W-2 FORMS, WAGE STUBS, SOCIAL SECURITY STUBS, RETIREMENT STUBS, UNEMPLOYMENT STUBS, ETC.):

TOTAL ANNUAL INCOME:

LOCATION OF HOUSE TO BE REPAIRED, CONSTRUCTED, OR PURCHASED, INCLUDING DIRECTIONS TO THE HOUSE:

IS ELECTRICITY AVAILABLE? [ ] NO [ ] YES, NAME OF UTILITY COMPANY: _____

SEWER SYSTEM: [ ] CITY SEWER [ ] SEPTIC SYSTEM [ ] CHEMICAL TOILET [ ] OUTHOUSE

FLUSH TOILET? [ ] YES [ ] NO BATHTUB OR SHOWER? [ ] YES [ ] NO

WATER SYSTEM: [ ] CITY WATER [ ] PRIVATE WELL [ ] COMMUNITY TANK [ ] OTHER

NAME OF SEWER AND WATER UTILITY COMPANY: _____

NUMBER OF BEDROOMS: _____ SIZE OF HOUSE (IN FEET): _____

DO YOU OWN THE LAND ON WHICH YOU WISH TO RENOVATE OR BUILD? [ ] YES
[ ] NO, THE NAME OF THE OWNER IS: _____

THE LAND IS CURRENTLY: [ ] INDIVIDUAL TRUST [ ] TRIBAL TRUST
[ ] INDIVIDUALLY RESTRICTED [ ] TRIBAL RESTRICTED [ ] TRIBAL FEE SIMPLE
[ ] FEE PATENTED [ ] OTHER, _____

THE LAND IS POSSESSED PURSUANT TO A: [ ] LEASEHOLD INTEREST [ ] USE PERMIT
[ ] INDEFINITE ASSIGNMENT OR JOINT OWNERSHIP AS DESCRIBED: _____
_____

HAVE YOU OR ANYONE IN YOUR HOUSEHOLD RECEIVED HOUSING DISCRETIONARY FUNDS BEFORE? [ ] NO [ ] YES, _____ (name) RECEIVED HOUSING ASSISTANCE IN _____ (year) FOR CONSTRUCTION OR IMPROVEMENTS AT _____ (location).

HAS THE HOUSE FOR WHICH YOU ARE ASKING FOR CONSTRUCTION OR REPAIR FUNDING EVER HAD CONSTRUCTION OR REPAIRS FUNDED BY HOUSING DISCRETIONARY FUNDS? [ ] NO
[ ] YES, _____ (name)RECEIVED HOUSING ASSISTANCE IN _____ (year) IN THE AMOUNT OF _____ (dollars).

DO YOU OWN ANY OTHER HOUSE? [ ] NO [ ] YES, THE HOUSE IS LOCATED AT:
_____ AND OCCUPIED BY _____.

HAVE YOU APPLIED FOR ASSISTANCE FROM AN INDIAN HOUSING AUTHORITY, TRIBAL CREDIT PROGRAM, OR PRIVATE LENDING INSTITUTION? [ ] NO [ ] YES, I APPLIED ON _____ (date) AND WILL **ATTACH** PROOF OF DENIAL FROM THESE SOURCES TO THIS APPLICATION.

DOES ANY MEMBER OF YOUR PERMANENT HOUSEHOLD HAVE A SEVERE HEALTH PROBLEM, HANDICAP, OR PERMANENT DISABILITY? [ ] NO [ ] YES, _____ (name) HAS _____ (brief description) AND I WILL **ATTACH** PROOF TO THIS APPLICATION DESCRIBING THE CONDITION.

I CERTIFY THAT ALL THE ANSWERS GIVEN ARE TRUE, COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND ARE MADE IN GOOD FAITH.

_____ _____
DATE SIGNATURE OF APPLICANT

_____ _____
DATE SIGNATURE OF SPOUSE (if applicable)

INCOME VERIFICATION STATEMENT

APPLICANT: _____ DATE: _____
APPLICANT'S SOCIAL SECURITY NUMBER: _____

The _____ Chapter is requesting your assistance to verify income information for the above-named applicant who is applying for Housing Discretionary Funds. To assist our Chapter and the housing applicant, we are asking you to provide us with income information as requested at the bottom of this page. Be assured that the information supplied by you will be kept confidential and be used only in determining the eligibility and extent of funding for the applicant. Your cooperation and immediate return of the completed form to our office would be greatly appreciated.

Sincerely,

_____
Chapter Manager
_____ Chapter

****

TO BE COMPLETED BY APPLICANT'S EMPLOYER OR
ASSISTING SOCIAL SERVICES AGENCY

EMPLOYER/AGENCY NAME: _____

NAME OF PERSON FILLING OUT THIS FORM: _____

TITLE OF THE PERSON FILLING OUT THIS FORM: _____

APPLICANT'S OCCUPATION: _____

EMPLOYED SINCE: _____

SALARY: _____ BASE PAY RATE: _____

EFFECTIVE DATE OF BASE PAY RATE: _____

AVERAGE NUMBER OF HOURS WORKED PER WEEK: _____

TOTAL MONTHLY INCOME/ASSISTANCE: _____

TYPE OF ASSISTANCE: _____

SIGNATURE OF PERSON FILLING OUT THIS FORM: _____
DATE: _____

ORGANIZATIONS FROM LIABILITY FOR PROVIDING LEGALLY RELEVANT

INFORMATION IN CONNECTION WITH MY HOUSING APPLICATION.

SIGNATURE: _____ DATE: _____
APPLICANT

_____ DATE: _____
CO-APPLICANT