

SALISH AND KOOTENAI HOUSING AUTHORITY

ELIGIBILITY & ADMISSIONS POLICY FOR LOW RENT PROGRAM

LOW RENT PROGRAM OBJECTIVES

To set forth the approach for determining eligibility and admissions to housing owned and operated by the Salish and Kootenai Housing Authority, hereinafter referred to as the Authority, and selection for the Authority programs.

SECTION 1: REQUIREMENTS

Fairness and Non-Discrimination

Eligibility for programs and admission to units operated by the Authority shall be fair at all times and in all respects. Board Members, Staff, and any Sub-grantee of the Authority shall be fair and impartial in selecting people to participate in programs of the Authority. They are prohibited from making determinations based in whole or in part on family ties, political views, or personal bias. Selections made by the staff may be reviewed by the Board of Commissioners for compliance with this Policy and other Authority requirements.

Pursuant to the NAHASDA law and regulations, the Authority will comply with the following nondiscrimination requirements, as applicable:

1. The Age Discrimination Act of 1975 (42U.S.C. 6101-6107) and HUD's Implementing regulations in 24 CFR part 146
2. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and HUD's Implementing regulations at 24 CFR part 8.
3. The Indian Civil Rights Act (Title II of the Civil Rights Act of 1968; 25 U.S.C. 1301-1303).

SECTION 2: APPLICATION FOR RENTAL HOUSING

Written Application

Any family that wishes to apply for services shall meet with the Intake and Eligibility Staff in order to ensure program suitability. The household will submit a completed application provided by the Authority which includes, but is not limited to, the date of application, name and contact information for the applicant, family composition, verification of enrollment in a Federally recognized Tribe, income verification, rental history, notice that we will do background checks on all adults in the household and the name of the program(s) areas in which the applicant seeks to participate. Families may

apply with one application for multiple programs. All applicants will be added to waiting list(s) as of the date their application is complete.

Applications from previous tenants will be accepted as new applicants as of the date the applications are completed. Previous tenants who owe money to the Authority or had their services terminated for any reason must see Reapplying for Service policy. If necessary, any changes to approved applications resulting in a change in head of household will be brought before a committee of not less than three (3) staff members and they will review and recommend action to be taken.

The Authority reserves the right to reject applications for housing in cases where it has determined that admission of the applicant would be damaging to the health, safety, or welfare of other tenants, or the financial stability or physical environment of the project.

SECTION 3. ELIGIBILITY

Eligibility Criteria

To be eligible an applicant (s) family must meet all of the following requirements:

1. The head of household must be eighteen years of age or older or be emancipated through the courts.
2. Meet the requirements of “Low-Income” as defined in Policy Definitions document.
3. Demonstrate that they are willing and able to meet the obligations of participating in the program.
4. The Authority will evaluate each application and deny admission to any applicant whose habits and practices may be expected to have a detrimental effect on other residents. In order to determine whether the admission of an applicant would have such an effect, the Authority will take into consideration the following factors:
 - a. Applicants past performance in meeting financial responsibilities, especially rent obligations.
 - b. Any record of disturbance, destruction of property, or living or housekeeping habits at past residences which may be damaging to the health, safety, or welfare of other tenants.
 - c. Any history of criminal activity involving crime or criminal drug-related activity, crimes of physical violence to persons or property and other criminal acts, which would be damaging to the health, safety or welfare of others.

In the event of the receipt of unfavorable or insufficient information about an applicant, a committee of not less than three (3) staff will review and recommend action to be taken. Consideration will be given to the time, nature, and seriousness of the applicant's behavior and to factors, which might show a reasonable chance of favorable future behavior for social or financial stability. Written references from previous landlords or persons in a professional capacity may be requested at this time. Additional criteria may be required and conditions applied to encourage and assist the applicant family to change adverse behavior as a condition of tenancy.

5. Tenants will be placed on a Probationary Lease when;
 - a. The committee determines that the past history deems it necessary
 - b. If the applicant does not have past rental history
 - c. A guest at the Transitional Living Center when the unit was offered.

Verification of Eligibility

Information provided on the application will be verified through the agency providing the information. Information to be verified includes, but is not limited to:

1. Application Data and Supporting Documentation
2. Income verification
3. Criminal Records
4. Any other documentation that the Authority deems necessary

Non-Low Income Families

Pursuant to the conditions outlined in 24 CFR 1000.110, the Authority may choose to provide assistance to non low-income families.

Non- Indian Families

1. The Authority may provide housing or housing assistance to a non-Indian family within the reservation/Indian area if it determines that the presence of the family on the reservation/Indian area is essential to the well-being of Indian families and the need for housing for the family cannot reasonably be met without such assistance; and,
2. The determination described in part (1) shall be approved by the Board of Commissioners before the family may be determined to be eligible.

Notification of Rejected Applicants

All applicants who are determined ineligible for a program shall be promptly notified in writing. The notice shall contain a brief description of the reason(s) they were determined ineligible and will notify the applicant's right to grieve this action in accordance with the Grievance Policy.

SECTION 4. PRESENT HOMEOWNER SEEKING HOUSING ASSISTANCE

An applicant or household member who currently is buying or owns his/her home must meet one of the following exceptions to be considered:

1. Owns or is buying a home that has been declared condemned or non-rehabitable.
2. Cannot live in their home due to a medical condition that is related to the home and the home cannot be rehabilitated to accommodate the medical condition.
3. Can provide documentation from an authorized agency that the home is held in undivided interest and cannot be sold or lived in by the applicant.
4. Must provide documentation that the home is being sold or transferred out of the applicant's or the family member's name. The sale or transfer must be completed six (6) months from the date of occupancy of an Authority unit. If the sale or transfer has not occurred within six months from the date of occupancy the Authority may elect to terminate the lease.

SECTION 5. APPLICATION UPDATE

Applicants shall provide to the Authority any changes in family composition or income as they occur. Applicants are required to update their application at least every six months in order to be considered for assistance.

If the household composition changes, upon documentation, the Authority may place the applicant on appropriate sized list as of their original date.

If the applicant fails to update within the required timeframe, the applicant will be removed from all waiting lists. To be reconsidered, the applicant must submit a new application.

SECTION 6. SELECTION

Waiting List

When demand for a particular program or for units is anticipated to exceed availability, eligible applicants shall be placed on a waiting list according to preference. Selection for assistance will be determined from the waiting list.

Preferences

1. Enrolled Confederated Salish and Kootenai Tribal Members.
2. Enrolled Indians from other Federally or State recognized Tribes.
3. Non-Indian head of household with minors enrolled in CS & KT.

Tribal member veterans will have priority over all other applicants. Applicant must provide Form DD-214 showing discharge date and status showing discharge under honorable conditions in order to be considered for veteran's preference. Within the above categories, elderly, disabled, or handicapped applicants shall have priority above all other applicants when there are vacancies in elderly/disabled units.

Notification

The Authority will deliver by mail to the applicant selected for a unit, a written notice of selection including the following statements:

1. The applicant has been selected;
2. The applicant must respond and accept the unit within seven (7) days or forfeit the unit;
3. Additional documentation must be provided prior to the file handoff to Occupancy for execution of the lease
4. The required deposits must be paid in full prior to the date of occupancy;

If an applicant is offered the next available unit and declines two times, the applicant's name will remain on the waiting list in their original position. If the applicant declines a unit a third time the applicant's name will be placed at the bottom of the waiting list.

If an applicant is offered a suitable unit and fails to respond to the Authority or accept and move into the unit as required, the applicant will be removed from that program waiting list unless an adequate reason relating to hardship or inopportune timing of the move, etc., can be shown.

SECTION 7. REAPPLYING FOR SERVICES

All applicants must follow the Reapplying for Services Policy

SECTION 8. DRUG AND CRIMINAL ACTIVITY

Applicants must follow the Authority's Criminal and Drug-Related Activity Policy.

SECTION 9. INDEMNIFICATION

Tenant agrees to and shall hold and keep harmless and indemnify the Authority from and for any payments, expenses, costs, attorneys' fees, and from and for any debts, claims,

and liabilities for losses or damage to the property or injuries to persons from any cause due to any act or omissions by the Tenant or Tenant's guests, licensees, invitees, or for any cause or reason whatsoever arising out of the occupancy by the Tenant.

SECTION 10. GRIEVANCE

Grievance means any formal complaint or dispute, which Participant has with respect to the Authority action, or failure to act, in accordance with the lease, agreement, contract, or in accordance with the Authority policies.

Grievances and appeals arising under this policy shall be resolved in accordance with the Grievance Policy set forth by the Board of Commissioners of the Authority. A copy of the Grievance Policy is posted in the lobby of the Authority and is made available to anyone who desires to review such policy.

Approved by the Salish and Kootenai Housing Authority Board of Commissioners at a Regular Meeting held on March 3, 2015.