

## RESPONSE TO COVID-19, ASSISTANCE POLICY

Title: <b>2021 Emergency Rental Assistance Policy</b>	Effective Date: 03/02/21	Review Date:
	Attachment:	Revision Number: 1
Board Signature:	Executive Director Signature:	
Subject: Response to Covid-19 Virus, Rental Assistance for low-income AIAN		Page 1 of 3

### **PURPOSE:**

In response to the Covid-19 Virus of 2020 and the declared state of Emergency, the Ho-Chunk Housing & Community Development Agency (“Agency”) will offer Rental Assistance to eligible households. The program assists low-income Enrolled Ho-Chunk Nation Tribal members / AIAN households with their rent as specified in the Indian Housing Plan. This is in response to the Covid-19 Virus of 2020.

“This project is being supported, in whole or in part, by federal award grant awarded to Ho-Chunk Housing and Community Development Agency by the U.S. Department of the Treasury.” This Program is funded by the United States Department of Treasury and compliance with applicable federal requirements must be adhered to.

### **SECTION 1: APPLICANTS ELIGIBILITY REQUIREMENTS**

1. Head of household must be 18 years of age or older.
2. The applicant’s annual income must not exceed the Low-income limits set by HUD. The last page of this policy has an income eligibility chart, to qualify for this program the household income shall be equal to or under the 80% category. **All household** income must be reported for eligibility with this program. SEE Page 7 for income eligibility.
3. The Ho-Chunk Housing and Community Development Agency service area covers Ho-Chunk Nation Districts.
4. Preference will be given to Ho-Chunk enrolled Tribal members, in accordance to the Ho-Chunk Housing and Community Development Agency guidelines.
5. The applicant must be an enrolled member of a federally recognized tribe.
6. HHCDCA will utilize area median income as determined by HUD Guidance pursuant to 24 CFR sect. 1000.10. and in accordance with Program Guidance-Income Limits under the

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Native American Housing and Self-Determination Act of 1996 (NAHASDA, by Heidi Freshette, Deputy Assistant Secretary for Native American Programs, Office of Public and Indian Housing, U.S. Department of Housing and Urban Development) (No. 2020-01, July 30, 2020).

If during the administration of this grant program the area median income guidelines are adjusted by program guidance issued by HUD, HHCDA will update the income guidelines at that time.

### SECTION 2: APPLICATION PROCESS

The applicant must submit the following information:

1. Rental Assistance Application **must be filled out completely** and returned to Ho-Chunk Housing and Community Development Agency prior to determination made regarding application denial or approval. **Applications that are incomplete or missing information required for processing will not be considered or addressed. A letter / email will be sent to the applicant indicating what information is missing. The application will only be recorded as received for processing once it is completed with attachments.**
2. Income verification. (A completed 1040 filed tax form will be optimal for granting assistance). The most recent copy of pay stubs, employment receipts are examples of income verification if not submitting 1040.

**INCOME DETERMINATION.** In determining the income of a household for purposes of determining such household's eligibility for assistance from a payment made under this section (including for purposes of subsection (c)(4)), the eligible grantee involved shall consider either the household's total income for calendar year 2020, or subject to clause, sufficient confirmation, as determined by the Secretary, of the household's monthly income at the time of application for such assistance.

In the case of income determined under sub clause, the eligible grantee shall be required to re-determine the eligibility of a household's income after each such period of 3 months for which the household receives assistance from a payment made under this section.

3. Copy of Tribal Identification-The following can be accepted
  - a. Copy of HCN ID (even if expired).
  - b. Copy of Ho-Chunk Nation Enrollment
  - c. Copy of Ho-Chunk Nation Percapita Check Stub with both name and tribal ID number.
  - d. Copy of Tribal Enrollment, Certificate Degree of Indian Blood.

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4. The applicant must provide rental agreement or lease with the Rental Assistance Application.
  - a. Lease must be legible and readable, listing applicants physical address and monthly rental charges.
  - b. If applicant has rental arrearage with current landlord, a rental statement must be submitted by landlord showing which months the applicant has failed to pay rent.
5. Name, address, email address, and phone number of applicant's Landlord.
6. Total funds allocated for this program are limited. Assistance will be granted on a first-come first-serve basis for eligible applicants. Completed applications will be processed in the order they were received. Preferences are granted to enrolled Ho-Chunk Nation tribal members. Categories exempted from the first come first served are listed below in (Sect.3).
7. A written decision will be mailed to the applicant within ten (10) working days.
8. This program is limited to the availability of funds. When funding for the program is fully expended, the ERAP assistance to applicants will end.

### **SECTION 3: SELECTION CRITERIA**

In selecting applicants, it shall be the policy of the Rental Assistance Program to make selections as outlined below:

1. Ranking Preference: PRIORITIZATION OF ASSISTANCE.— In reviewing applications for financial assistance and to eligible households from a payment made under this section, an HHCDA shall prioritize consideration of the applications of an eligible household that satisfies any of the following conditions
  - a. The income of the household does not exceed 50 percent of the area median income for the household.
  - b. 1 or more individuals within the household are unemployed as of the date of the application for assistance and have not been employed for the 90-day period preceding such date.
  - c. Existing housing-related arrears that could result in eviction of an eligible household that would prevent the household from eviction proceedings for non-payment of rent.
  - d. By date in which a completed application was received, the application will be processed.
2. Indian Preference: Ho-Chunk Enrolled and then other Native American Tribal Enrolled Members.

**SECTION 4: TERMS AND CONDITIONS**

1. **Emergency Rental Assistance Program funds will be used for the following activities:**
  - a. Rent (current)--Applicants can apply for rental assistance for current month's rent. \$1,000.00 per month.
  - b. Prospective Rent (future rent)--Financial assistance for a period up to 12 months, up to 12,000.00 maximum. Must re-certify income eligibility every 3 months.
  - c. Rental arrears--ERAP assistance can pay for arrears as far back as March 13, 2020. 12,000.00 maximum.
  - d. Utilities and home energy costs--Current month's utility statement amount.
  - e. Utilities and home energy costs arrears--ERAP assistance can pay for arrears as far back as March 13, 2020, \$3,600 maximum amounts.
2. The grant monies will be released to the Landlord. Landlord must submit to HHCDA a completed W9, tax payer ID form, before HHCDA can submit a rent payment.
3. The applicant may apply for the Emergency Rental Assistance Program once during the Covid-19 Virus Crisis.
4. Only one application can be submitted per household, per lease period.
5. Applicant households shall not accept other federal rental assistance for the months they are receiving ERAP assistance for rent from HHCDA.
  - a. Applicants that live in subsidized residential housing units are eligible for assistance for the portion of rent the applicant is responsible for.
  - b. Applicants that receive a monthly federal subsidy and the rent is adjusted according to the subsidy is adjusted to changes in income, the ERAP assistance must be limited to the portion of rent that the applicant is responsible for.
6. Applicants must have a valid lease for the applicant's primary residence.

**SECTION 5: DEFINITION OF TERMS**

1. Applicant: means any person or family who applies for assistance pursuant to these Policies and Procedures.
2. Area Median Income: HHCDA will utilize Ho-Chunk Nation Area Median Income as determined by the Secretary of Housing and Urban Development.
3. Financial Assistance: means payments provided through the ERA Program Funds for

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Rent Arrears, Utility and Home Energy Costs Arrears, Current and Prospective Rent, Current and Prospective Utility Costs, and Other Eligible [Abbreviated Name] Expenses.

- a. “Rent” is the monthly amount charged by a Landlord for possession and occupancy of a dwelling unit. If Utility Costs are included in the monthly payment to the Landlord, they are deemed to be Rent.
  - b. “Rent Arrears” mean rental payments in arrears.
  - c. “Prospective Rent” means rental payments expected to be owed.
  - d. “Current Rent” means the rental payment for the current month that is due and owing but not yet in arrears.
  - e. “Utility Costs” means utility and home energy costs related to the occupancy of rental property (e.g. electricity, gas, water and sewer, trash removal, and energy costs (such as fuel oil)) that are separately-stated charges. Utility Costs do not include telecommunication services (e.g. telephone, cable, and internet services).
  - f. “Utility Costs Arrears” means Utility Cost payments in arrears.
  - g. “Prospective Utility Costs” means Utility Cost payments expected to be owed.
  - h. “Current Utility Costs” means Utility Costs that are currently due and owing but not yet in arrears.
  - i. “Rental Deposits” means a deposit required by a Landlord as a condition of obtaining possession and occupancy of a rented dwelling unit. To be covered by this Emergency Rental Assistance Program, such deposits must be reasonable and may not exceed an amount equivalent to two (2) months rental payments for the premises being rented.
4. HHCDCA means: the Ho-Chunk Housing and Community Development Agency.
  5. Household: One or more persons who have a stable family type relationship (including members who are temporarily absent) and whose income and resources are available for use in meeting the living expenses of the group.
  6. Income means: Either a household’s annual income or sufficient confirmation of the household’s monthly income at the time of application.

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7. **Landlord:** Person(s), not being a relative to applicant(s), with whom applicant(s) has an Occupancy Agreement or Lease for rental of said property.
8. **Other Housing Expenses:** means expenses related to housing incurred due, directly or indirectly, to the novel coronavirus disease (COVID-19) outbreak. Maintenance costs are not included in this definition.
9. **Recipient:** means a household of one or more individuals that receives Financial Assistance from the ERA Program Funds.
10. **Tribal Member:** Means an enrolled member of the Ho-Chunk Nation of Wisconsin.

**Section 6 Area Median Income Limits**

**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**

***2020 ANNUAL INCOME LIMITS:  
for Madison / Dane County and  
for Ho-Chunk Housing and Community Development Agency's  
Low- & Moderate-Income Programs***

Income Category	Size of Household							
	1 Person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons
Extremely Low Income (30% or less of HHCDA NAHASDA Median Income)	21,050	24,050	27,050	30,050	32,500	35,160	39,640	44,120
Very Low Income (50% or less of HHCDA NAHASDA Median Income)	35,050	40,050	45,050	50,050	54,100	58,100	62,100	66,100
<b>Low Income</b> (80% or less of HHCDA NAHASDA Median Income)	<b>54,950</b>	<b>62,800</b>	<b>70,650</b>	<b>78,500</b>	<b>84,800</b>	<b>91,100</b>	<b>97,350</b>	<b>103,650</b>
Moderate Income (100% or less of HHCDA NAHASDA Median Income)	70,100	80,100	90,100	101,100	108,150	116,150	124,150	132,150