



MONACAN INDIAN NATION HOUSING DEPARTMENT  
PO BOX 960 AMHERST, VA 24521  
HOMELESS PREVENTION SERVICES  
POLICY & PROCEDURES

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## Policy Statement

The Monacan Indian Nation Housing Department (MINHD) recognizes the need to establish policy and procedures for its Homelessness Prevention Services Program (HPSP). The HPSP will provide financial assistance and services to prevent individuals and families from becoming homeless and help those who are experiencing homelessness to be quickly re-housed and stabilized.

The HPSP funds is to provide for a variety of assistance, including short-term rental assistance and housing relocation and stabilization services, such as mediation, credit counseling, security or utility deposits, utility payments, moving cost assistance, and case management.

Individuals and families who apply for assistance, funded by the MINHD, using Indian Housing Block Grant (IHBG) funds, will have to meet eligibility standards established by the MINHD, along with other agencies or financial institutions that may be partners in these programs.

### **1. General Information.**

- a. HPSP will provide assistance to pay for homeless prevention by providing short term subsidies to eligible tribal citizens, to defray rent, and utility payments to prevent homelessness. Citizens may also receive funds for security deposits, first month's rent and mortgage payments to prevent foreclosure on an individually owned home.
- b. Participation in the HPSP is limited to low to moderate income families as defined by the MINHD. Participants will be required to provide verifiable documentation of income status.
- c. The Tribal Chief, Tribal Administrator or a designated employee of the MINHD shall review and approve each application. Eligible low-income families must make their request on an application form developed by the MINHD.

2. **Purpose.** The HPSP policy (this "Policy") has been adopted by the Monacan Indian Nation to provide guidelines for the implementation of the HPSP, which serves to provide assistance to those families who are experiencing hardship, which could result in homelessness.

3. **Implementation.** The MIN will ensure that any procedures of forms developed will conform to this Policy and all applicable federal regulations, including but not limited to, Native America Housing and Self Determination Act of 1996- (NAHASDA). The MINHD will periodically review this policy and recommend amendments as necessary to comply with applicable laws, or for other purposes.

#### 4. Definitions.

Homelessness is defined as:

- (1) Individual or family who lacks a fixed, regular, and adequate. nighttime residence, **meaning:**
  - (i) Has a primary nighttime residence that is a public or private place not meant for human habitation;
  - (ii) Is living in a publicly or privately-operated shelter.

For purposes of this policy, applicants for whom actual or threatened domestic violence, makes living in the current residence unsafe are considered homeless. Applicants who do not yet have a residence by choice, such as when they are relocating into the service district, or choosing to move to a different residence, will only be considered homeless for purposes of this policy based on a decision by the Tribal Chief of the MIN.

- b. "Nearly Homeless" means facing immediate eviction from a home or rental unit in the absence of assistance under the HPSP.

**5. Program Eligibility.** Eligible applicants are low to moderate income families where the head of household is an enrolled member of the MIN or where the children in the household are enrolled members of the MIN and the household is determined to be "homeless" or "nearly homeless". Low to moderate income means a family whose annual income does not exceed 100% of median family income, with certain exclusions from income, as allowed by applicable law.

#### 6. General Requirements.

- a. Be 18 years of age or older.
- b. Complete the Homeless Prevention Service application and have it signed by all occupants the age of 18 or older. Applicants will have a section to explain, in detail, their present living situation and the reason for the emergency housing assistance. Families who are living in unsafe conditions for reasons of domestic violence, will be given special consideration.
- c. Provide documentation with application to determine eligibility, including Tribal enrollment cards, social security cards, driver's licenses or birth certificates, income verification sources. Accepted sources of income (but not limited to) are as follows:

- Pay-check stubs
- Bank statements
- Social security award letter
- Pension benefit statement
- Offer letter from employer

d. Agree to use housing as their principal residence and not to sublet the housing while it is assisted under this program.

e. Provide documentation of eligibility as follows:

1. For Homeless (including families who are living in unsafe conditions for reasons of domestic violence) a copy of the lease or rental agreement, or motel invoice, or similar documentation, verifying the cost and length of the proposed stay. If the applicant was referred by an agency, the documentation should also include a statement from the referring agency. An example of a referring agency would be BIA/Social Services Program, Indian Health Services, State Child Protective Services, Red Cross, or Tribal Council.
2. For Nearly Homeless, a copy of the eviction, 72-hour notice, or delinquent mortgage notice, documenting the amount due including any late fees; and a statement from the landlord for the financial institution verifying the payment will prevent the eviction. A copy of the lease or rental agreement (for rentals) or the mortgage statement or payment book (for homeowners).
3. Any disconnect notices for utilities such as electricity and/or water/sewer.

f. **Provide a completed and signed Verification of Landlord/Lender, including an IRS Form W-9 signed by any Landlord/Lender who will receive funds under this program. These documents must be received prior to any release of funds.**

7. **Prior Assistance.** Families who have already received assistance under the Homeless Prevention Services Program are not eligible to be considered for the additional assistance until 24-months from the date of their last application approval.

8. **Previous Debts.** An applicant who has a previous debt owed to the MIN may be considered, only if the applicant enters into a Payback Agreement with the MIN. Applicants who already have a Payback Agreement with MIN must be in compliance with the Payback Agreement. The unit for which the applicant is receiving assistance must not be a MINHD unit.

- 9. Disqualifying factors.** MINHD will disqualify an applicant for this program if it is determined during the application or verification process
- a. If the MINHD determines at any time that the applicant or any person in the household made a false or fraudulent statement or falsified any application documents, it shall be grounds for immediate disqualification of the application, and shall also subject that person to penalties provided by law (US Code, Title 18, Section 1001).
- 10. Documentation.** Disqualification may not be based on rumors and innuendo, but must be supported by documented evidence, such as by reports, letters, memoranda, and records of interviews with reliable sources (e.g., landlords, employers, etc.).
- 11. Criminal Background Checks.** MINHD is not the landlord under this program and does not assume any responsibility to run a criminal background check to determine if an applicant will be an acceptable tenant for any entity other than MINHD.
- 12. Submitting an Application.** Application forms for the Homeless Prevention Services Program are available from the receptionist at the MINHD Housing Office.
- A. Applications are approved on a first-come, first- served basis. There is no active waiting list for this program. This program is separate from the MINHD Housing programs, which may have waiting lists. Persons wishing to be considered for MINHD housing also need to complete a general MINHD application and ask to be listed on the waiting list.
- B. No occupancy before approval. An applicant who takes possession of the requested emergency housing (rental unit, motel room, etc.) before being approved will be denied. Taking possession includes accepting keys, signing agreement, moving into a unit, or otherwise accepting occupancy of the requested emergency housing.
- 13. Processing Applications.** Once a Homeless Prevention Services Program application is received by MINHD, staff will review the application for completeness and determine eligibility. MINHD may verify any information provided on or with the application, consistent with MINHD policies and reasonable expectations of privacy.
- 14. Notices.**
- a. Staff will notify the applicant of the status of the application with (24) hours from the date it is received. At that time, it will be communicated if any

additional information is still needed, whereas the applicant will have fourteen days from the day of notification to provide the additional information and complete the application process or the application will be considered by the MINHD as null and void.

- b. Once receiving all needed information, and upon the completion of the application process, staff will notify the applicant, both verbally and in writing of the MINHD's decision of application. If the application is approved, the MINHD staff will advise the applicant of the next steps to be taken to obtain the assistance. If the application is rejected, the MINHD will notify the applicant of the reason and guidelines on how to grieve the final decision if in disagreement.

**15. Use of Funds.** Assistance under this program may be used for one of the following:

- a. Deposit plus first and last month's rent, to include lot rent if applicable, not to exceed \$5000 or amount as defined in the IHP;
- b. One month's rent in a nursing home, group home, transitional living center, motel, or other room in an established business, not to exceed \$5000 or amount as defined in the IHP;
- c. Delinquent rent, with any documented late fees, not to exceed \$5000 or amount as defined in the IHP.
- d. Delinquent mortgage payment(s), with any documented late fees, not to exceed \$5000 or amount as defined in the IHP.
- e. Past due utilities with disconnect notices.

**16. Impermissible Uses.** Assistance may not be used to pay rent to an immediate family member (i.e., father, mother, son, daughter, husband, wife, sibling, or grandparent) or to any person with whom the applicant resides.

**17. No Direct Payments.** No payments will be issued directly to the applicants. MINHD will process a check requests to the landlord, financial institution or business based on documentation provided by the applicant. MINHD will require applicant to report back to MINHD about how the use of funds was served, (i.e., did the applicant complete the entire stay and, if not, the reasons why the applicant did not complete the stay.

**18. Applicants Must Inspect Lodging.** MINHD is not able to inspect each residence prior to move in. Applicants for assistance with rent are responsible

for selecting lodging that meets their needs and should inspect the residence prior to submitting the Verification of Landlord/Lender to MINHD for processing.

19. **Disputes.** The MINHD Grievance Policy and Procedures applies to any dispute brought by a person who applies for or participates in a MINHD program or services, with respect to an alleged violation by MINHD of a policy, contract, regulation, or law, that has resulted in loss or harm to the person with the dispute. A copy of the Grievance Policy and Procedures may be obtained from the receptionist at MINHD.



Enacted, on this day, 11 of MAY, 2020, in Amherst, Virginia.

Kenneth Branham

Chief Kenneth Branham

05-11-2020

Date