
YAKAMA NATION HOUSING AUTHORITY

HOMEOWNER HOME REPAIR PROGRAM POLICIES AND PROCEDURES

Yakama Nation Housing Authority

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CHAPTER I— POLICIES

100.1 Purpose and Scope. The Yakama Nation Housing Authority (“YNHA”) Homeowner Home Repair Program will address the need of low-income Indian families who own homes on or near the Yakama Reservation for available funds to make necessary repairs to their homes. Repairs funded under this Program will emphasize correction of life safety hazards, energy efficiency, sustainability and cost effectiveness. Program participants may be referred to the YNHA Weatherization Program with the goal of leveraging the Weatherization Program funds and services. The overall purpose of this program is to preserve affordable housing on or near the Yakama Reservation.

100.2 Authority. The Board of Commissioners of the YNHA has authority and responsibility for ensuring that any policies to be adopted are appropriate for the YNHA. These policies and any amendments to these policies shall be effective upon adoption by the YNHA Board of Commissioners. This policy is a tool to assist Housing Authority personnel. It does not create a contract or promise specific treatment in specific situations. The Board of Commissioners of the YNHA reserves the right to change, cancel or interpret any of its policies at its sole discretion and without prior notice.

100.3 Source of Funds. The initial source of funds for this program was a competitive grant under the Indian Block Grant (IHBG) program, authorized under the Native American Housing and Self-Determination Act of 1996, as amended (NAHASDA), with funds appropriated under the American Recovery and Reinvestment Act of 2009 (ARRA). This program is currently funded with annual IHBG formula grants. YNHA complies with all applicable laws and program requirements.

100.4 Program Goals. The program goals are:

100.4.1 To assist Yakama Nation Homeowners to address urgent needs and make their homes decent, safe, sanitary and more energy efficient;

100.4.2 To refer to the WA State Evergreen Development Guidelines and install only Energy Star appliances to improve energy efficiency and sustainability.

100.4.3 To leverage weatherization resources and services; and

100.4.4 To provide economic stimulus in the construction trades.

100.5 Eligibility. To be eligible for the Program, a Homeowner must meet all of the following requirements:

100.5.1 Homeowner must be 18 years of age or older.

100.5.2 Homeowner must qualify as an “Indian family,” under the Native American Housing and Self-Determination Act, 25 U.S.C. 4101, et seq. (“NAHASDA”) and implementing regulations.

100.5.3 Home must be owner-occupied or occupied by Homeowner’s family member(s) as the principal residence.

100.5.4 Home must be located on or near the Yakama Reservation.

100.5.5 Homeowner must present acceptable proof of ownership (e.g., Deed to Restricted Indian Land, Certified Title Status Report, Statutory Warranty Deed, Bill of Sale and Lease Cancellation, etc.) showing that Homeowner has owned the home for at least five (5) years before submitting the application for this Program.

100.5.6 Homeowner must present proof of homeowner’s insurance at adequate levels or agree that the assistance provided will include purchase of homeowner’s insurance through Amerind Risk Management Corporation or other insurer selected by YNHA, with YNHA obtaining a certificate as the Lender’s Loss Payee, for the ten (10) year term described in paragraph 100.7.1.

100.5.7 Homeowner must qualify as a “low-income family” under NAHASDA, with a gross annual household income that does not exceed 80% of area median income.

100.5.8 Homeowner must complete and sign the Homeowner Home Repair Program Application and provide all necessary documentation as outlined in the application.

100.6 Selection.

100.6.1 Applications will be logged based on the date the application and documentation is signed and complete. Selections from eligible applicants will be made from the top of the newly created Home Repair Program waiting list after having taken into consideration any preferences, priorities, and other relevant factors. In the case of two or more families having equal preference points and priorities, the family whose application was completed and logged in at the earlier date and/or time shall have priority.

100.6.2 The Program will give preference to homeowners based on the total number of points assigned to the application under the following point system:

Head of Household –	
Enrolled Yakama	6 points
Yakama Descendant	5 points
Enrolled other Indian	4 points
Other Indian Descendant	3 points

Other Yakama Household Members (each)	3 points
Elderly persons (60 years of age or older) (each)	2 points
Near-elderly persons (55 to 59 years of age) (each)	1 point
Veterans (each)	1 point
Disabled (each)	1 point

In calculating points, there shall be only one head of household per family, and if one adult is enrolled Yakama or Yakama Descendant, he/she is the head of household. Enrolled Yakama elder veterans who are disabled have the highest preference--10 total points.

EXAMPLE: A two-person family with one enrolled Yakama who is a veteran and an elder, and whose spouse is enrolled Yakama and an elder and disabled, would receive 15 total points. Yakama HOH (6) + Veteran (1) + Elder (2) // Other Yakama Household Member (3) + Elder (2) + Disabled (1) = 15 points.

1006.3 After the above preferences have been applied, the following priorities shall be applied:

- Household is living in substandard conditions with life safety hazards.
- Household includes a qualified individual with a disability and improvements are needed so that the individual may live in the home.
- Head of household or spouse is an elder (60 years or older).
- Children are living in the home.

100.7 Form of Assistance.

100.7.1 Home Repair Funds will be awarded as recoverable grants that are subject to repayment of all or part of the funds should the property be sold or occupied by a NAHASDA ineligible family before the expiration of a ten (10) year term.

100.7.2 NAHASDA requires that housing units remain affordable for the useful life of the Property and requires that this affordability be secured through binding commitments satisfactory to HUD. Accordingly, the recoverable grants under this program will be secured by a lien and covenant running with the land (a “Deed Restriction”) with a 10-year term. The grants will be valued at the cost of the repair plus insurance (as applicable). YNHA will reduce the recoverable amount of the grant on an annual basis, writing down 10% of the original grant at the end of each full year of the 10-year term. At the end of the ten (10) years, the Deed Restriction will be lifted and the grant will no longer be subject to repayment.

EXAMPLE: A recoverable grant of \$40,000 is awarded in 2011. The homeowner remains in the home for 5 years after the home repairs are completed. The balance of the recoverable grant has been reduced by 50% to \$20,000. The home is sold and \$20,000 is repaid to YNHA.

EXAMPLE: A recoverable grant of \$40,000 is awarded in 2011. The homeowner remains in the home for 10 years after the home repairs are completed. The balance of the recoverable grant has been reduced by 100% to \$0. The home is sold and \$0 is repaid to YNHA.

100.7.3 In general, if a property changes ownership, all or a portion of the recoverable grant funds are owed to YNHA under this Program. YNHA will not immediately require repayment under the following circumstances:

- The buyer provides all information required by YNHA and YNHA makes a determination that the buyer is eligible for the program as a low-income Indian family under NAHASDA;
- The homeowner passes away and the property is transferred to a relative;
- The homeowner transfers ownership to a spouse, domestic partner, or child even if the homeowner is still living; or
- Ownership is transferred to a spouse through divorce or legal separation.

100.7.4 Homeowners refinancing their homes or borrowing money against the value of their homes may request that the YNHA lien position be subordinated to that loan. Subordination requests will be evaluated by YNHA. Generally, under this circumstance, the balance of the recoverable grant would be repaid or as a last resort, it would convert to an amortizing loan.

100.8 Eligible Home Repairs. Eligible home repairs may include, but are not limited to, the following:

- Accessibility modifications
- Appliances (Energy Star)
- Bathroom repairs
- Brick or Masonry repair
- Door and window repair or replacement
- Electrical upgrades
- Floor repairs and floor covering
- Foundation repairs
- Furnace, boiler repair or replacement
- Indoor air quality including whole house ventilation, bath and kitchen fans
- Hazardous material abatement or hazard reduction (asbestos, lead paint)
- Hot water heater replacement
- Insulation, air sealing (Weatherization program)
- Kitchen repair
- Paint interior and exterior
- Plumbing repair (and referrals to IHS)
- Porch, steps repair or replacement
- Roof repair or replacement
- Septic repair (and referrals to IHS)
- Siding replacement
- Structural repairs
- Walls, ceilings repair
- Water line repair or replacement (and referrals to IHS)

100.9 Standards. In general, the goal of the Program will be to make the home safe, decent, and sanitary. All repair work completed will meet all required residential codes.

CHAPTER 2—PROCEDURES

200.1 Determining Eligibility. YNHA will receive applications and determine homeowner eligibility, preferences, and priorities in accordance with the Policy adopted by the Board.

200.2 Inspections. YNHA will conduct a comprehensive inspection of the home and prepare a recommended scope of work and cost estimate. The inspection will focus on health and safety issues as well as energy efficiency improvements. Substantial rehabilitation may use the Washington State Evergreen Sustainable Development Criteria as a guide.

200.3 Weatherization. Homeowners may be referred to the YNHA Weatherization program so that the Weatherization program may prepare an energy audit and coordinate with the home repair scope of work to leverage funds and maximize the level of rehab and energy efficiency.

200.4 Scope of Work. YNHA will review the proposed scope of work with the homeowner and endeavor to incorporate the homeowner's ideas, needs and concerns. The scope of work will be finalized, specifications prepared and work bid following YNHA's procurement policies. Items that affect the health and safety of the occupants or the structural integrity of the home (see par. 200.9) must be corrected before other work is started.

200.5 Environmental Review. YNHA will complete all appropriate environmental review prior to bidding the work.

200.6 Building Permits. All required building permits will be obtained.

200.7 Construction Contract. Once the project is approved and the grant amount is finalized, the YNHA will cause a construction contract to be prepared that will be signed by the homeowner and contractor. Projects in which there are more than two distinct trades should involve a general contractor to coordinate.

200.8 Contract documents. YNHA will prepare the legal documents. All documents must be signed and deed restrictions and covenants recorded prior to notice to proceed. This will include:

- NAHASDA Deed Restriction
- Weatherization Covenant (as applicable)

200.9 Insurance. If the homeowner maintains his or her own insurance, then YNHA should be named as a loss payee on the homeowner's insurance policy so that notice is received if a policy lapses.

200.10 Health and Safety Issues.

Examples of health and safety issues that must be addressed prior to other renovations include:

- Electrical – overloaded panel; illegal connections; excessive use of extension cords; burned conductors, fixtures.

- Fire Safety – unsafe wood stoves or inserts; absence of egress from bedrooms; no smoke detectors or carbon monoxide detectors.
- Hazardous materials – Asbestos material exposed in loose fiber form in living space.
- Heating systems – inadequate heat or unsafe condition in existing system.
- Lead based paint – loose or peeling painted surfaces should be treated using lead-safe work practices and in particular homes with children under 7 years of age.
- Mold and indoor air quality – poor indoor air quality.
- Plumbing – clogged or broken sewer lines, absence of hot or cold water supply, leaks, severely rusted fixtures.
- Sanitation – extensive deterioration or absence of kitchen countertops and food preparation areas; deteriorated kitchen or bathroom floors; non functional stoves, ranges or refrigerators; lack of window screens.
- Security – absence of locking doors and windows; insufficient security lighting.
- Structural – extensive infestation or rot of structural members; dangerously over-spanned or otherwise poorly designed structural supports; severe roof leaks or other water infiltration.
- Detectors – Smoke detectors and carbon monoxide detectors (if applicable) will be installed in all homes.

200.11 Work Inspections. For those homes where outside contractors perform the work, YNHA will inspect the work before approving each pay request to confirm that the work listed in the pay request has been completed and within specifications. YNHA and the homeowner must sign their approval of the pay request.

There may be occasions when the homeowner refuses to sign the pay request and YNHA will make a payment to the contractor. To make a payment without the homeowner's signature the following criteria must be met:

- YNHA has conducted the final inspection, examined the work and found it to be in substantial compliance with the contract, and
- A YNHA staff person who is a certified inspector has also inspected the work, and
- The homeowner has been sent written notice of YNHA's intent to disburse the funds, the amount of funds, and the procedures to appeal the disbursement, including 10 days to appeal.
- Payment will be made within 10 business days of the date of the notice, if no appeal has been filed.

200.12 Project Close Out. Upon completion of work and final construction payment, YNHA will prepare the construction project file for close out. The file should include:

- Application and all eligibility documentation, including priority if applicable
- Inspection, including the Weatherization diagnostic inspection
- Scope of work, including Weatherization
- Bidding documentation
- Legal documents
- Construction contract
- Draws and documentation of payment

- Lien Releases
- Final inspection and post-Rehab Weatherization diagnostic inspection

200.13 Crediting. YNHA will establish an account for the homebuyer in the YNHA Housing Data Systems (HDS) database, and will reduce the recoverable amount of the grant on an annual basis, writing down of 10% of the amount of the original grant at the end of each full year from the date of the Deed Restriction.