

CHICO RANCHERIA HOUSING CORPORATION

Eligibility and Admission Policy

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1 **I. Purpose**

2 This policy is designed to clearly outline eligibility and admission requirements for most programs
3 administered by the Chico Rancheria Housing Corporation, specifically programs funded from
4 Indian Housing Block Grants (IHBG) under the Native American Housing Assistance and Self
5 Determination Act (NAHASDA) of 1996, as amended (Public Law 104-330) and the regulations set
6 forth in CFR Title 24 §1000, as well as other programs.

7 **II. Policy**

8 **A. Definitions**

9 **1. Annual Income.**

10 Annual income is the anticipated total income from all sources received by the
11 family head and spouse (even if temporarily absent) and by each additional
12 adult member of the family during the coming 12-month period, as defined for
13 HUD's Section 8 programs in 24 CFR part 5, subpart.
14

15 (a) *Annual income* means all amounts, monetary or not, which:

- 16 (1) Go to, or on behalf of, the family head or spouse (even if
17 temporarily absent) or to any other family member over the
18 age of eighteen (18); or
- 19 (2) Are anticipated to be received from a source outside the
20 family during the twelve month period following admission or
21 annual reexamination effective date; and
- 22 (3) Are not specifically excluded in paragraph (c) of this section.
- 23 (4) Annual income also means amounts derived (during the twelve
24 month period) from assets to which any member of the family
25 has access.

26 (b) *Annual income* includes, but is not limited to:

- 27 (1) The full amount, before any payroll deductions, of wages and
28 salaries, overtime pay, commissions, fees, tips and bonuses,
29 and other compensation for personal services;
- 30 (2) The net income from the operation of a business or profession.
31 Expenditures for business expansion or amortization of capital
32 indebtedness shall not be used as deductions in determining
33 net income. An allowance for depreciation of assets used in a
34 business or profession may be deducted, based on straight line
35 depreciation, as provided in Internal Revenue Service
36 regulations. Any withdrawal of cash or assets from the
37 operation of a business or profession will be included in
38 income, except to the extent the withdrawal is reimbursement
39 of cash or assets invested in the operation by the family;

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- 1 (3) Interest, dividends, and other net income of any kind from
2 real or personal property. Expenditures for amortization of
3 capital indebtedness shall not be used as deductions in
4 determining net income. An allowance for depreciation is
5 permitted only as authorized in paragraph (b)(2) of this
6 section. Any withdrawal of cash or assets from an investment
7 will be included in income, except to the extent the
8 withdrawal is reimbursement of cash or assets invested by the
9 family. Where the family has net family assets in excess of
10 \$5,000, annual income shall include the greater of the actual
11 income derived from all net family assets or a percentage of
12 the value of such assets based on the current passbook savings
13 rate, as determined by HUD;
- 14 (4) The full amount of periodic amounts received from Social
15 Security, annuities, insurance policies, retirement funds,
16 pensions, disability or death benefits, and other similar types
17 of periodic receipts, including a lump-sum amount or
18 prospective monthly amounts for the delayed start of a
19 periodic amount (except as provided in paragraph (c)(14) of
20 this section);
- 21 (5) Payments in lieu of earnings, such as unemployment and
22 disability compensation, worker's compensation and severance
23 pay (except as provided in paragraph (c)(3) of this section);
- 24 (6) *Welfare assistance payments.*
- 25 (i) Welfare assistance payments made under the Temporary
26 Assistance for Needy Families (TANF) program are
27 included in annual income only to the extent such
28 payments:
- 29 (A) Qualify as assistance under the TANF program
30 definition at 45 CFR 260.31; and
- 31 (B) Are not otherwise excluded under paragraph (c) of
32 this section.
- 33 (ii) If the welfare assistance payment includes an amount
34 specifically designated for shelter and utilities that is
35 subject to adjustment by the welfare assistance agency
36 in accordance with the actual cost of shelter and
37 utilities, the amount of welfare assistance income to be
38 included as income shall consist of:
- 39 (A) The amount of the allowance or grant exclusive of
40 the amount specifically designated for shelter or
41 utilities; plus
- 42 (B) The maximum amount that the welfare assistance
43 agency could in fact allow the family for shelter
44 and utilities. If the family's welfare assistance is

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ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section).

(9) Any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 *et seq.*), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of twenty-three (23) with dependent children. For purposes of this paragraph, "financial assistance" does not include loan proceeds for the purpose of determining income.

(c) *Annual income* does not include the following:

(1) Income from employment of children (including foster children) under the age of eighteen (18) years;

(2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);

(3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);

(4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;

(5) Income of a live-in aide, as defined in 24 CFR § 5.403;

(6) Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;

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- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- 3
- (8) Additional Amounts Not Included:
- 4 (i) Amounts received under training programs funded by HUD;
5
- 6 (ii) Amounts received by a person with a disability that
7 are disregarded for a limited time for purposes of
8 Supplemental Security Income eligibility and benefits
9 because they are set aside for use under a Plan to
10 Attain Self-Sufficiency (PASS);
- 11 (iii) Amounts received by a participant in other publicly
12 assisted programs which are specifically for or in
13 reimbursement of out-of-pocket expenses incurred
14 (special equipment, clothing, transportation, child
15 care, etc.) and which are made solely to allow
16 participation in a specific program;
- 17 (iv) Amounts received under a resident service stipend. A
18 resident service stipend is a modest amount (not to
19 exceed \$200 per month) received by a resident for
20 performing a service for the Housing Corporation or
21 property owner, on a part-time basis, that enhances
22 the quality of life in the development. Such services
23 may include, but are not limited to, lawn
24 maintenance, resident initiatives coordination, and
25 serving as a member of the Housing Corporation's
26 governing board. No resident may receive more than
27 one such stipend during the same period of time;
- 28 (v) Incremental earnings and benefits resulting to any
29 family member from participation in qualifying State
30 or local employment training programs (including
31 training programs not affiliated with a local
32 government) and training of a family member as
33 resident management staff. Amounts excluded by this
34 provision must be received under employment training
35 programs with clearly defined goals and objectives,
36 and are excluded only for the period during which the
37 family member participates in the employment
38 training program;
- 39 (9) Temporary, nonrecurring or sporadic income (including gifts);
- 40 (10) Reparation payments paid by a foreign government pursuant to
41 claims filed under the laws of that government by persons who
42 were persecuted during the Nazi era;

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- 1 (11) Earnings in excess of \$480 for each full-time student eighteen
2 (18) years old or older (excluding the head of household and
3 spouse);
- 4 (12) Adoption assistance payments in excess of \$480 per adopted
5 child;
- 6 (13) Deferred periodic amounts from supplemental security income
7 and social security benefits that are received in a lump sum
8 amount or in prospective monthly amounts.
- 9 (14) Amounts received by the family in the form of refunds or
10 rebates under State or local law for property taxes paid on the
11 dwelling unit;
- 12 (15) Amounts paid by a State agency to a family with a member
13 who has a developmental disability and is living at home to
14 offset the cost of services and equipment needed to keep the
15 developmentally disabled family member at home; or
- 16 (16) Amounts specifically excluded by any other Federal statute
17 from consideration as income for purposes of determining
18 eligibility or benefits under a category of assistance programs
19 that includes assistance under any program to which the
20 exclusions set forth in 24 CFR 5.609(c) apply.
- 21 (d) *Annualization of income.* If it is not feasible to anticipate a level of
22 income over a twelve month period (*i.e.*, seasonal or cyclic income), or
23 CRHC believes that past income is the best available indicator of expected
24 future income, CRHC may annualize the income anticipated for a shorter
25 period, subject to a re-determination at the end of the shorter period.

2. Adjusted Income

The term 'adjusted income' means the annual income that remains after excluding the following amounts:

- 26 (a) YOUTHS, STUDENTS, AND PERSONS WITH DISABILITIES- \$480 for each
27 member of the family residing in the household (other than the head of
28 the household or the spouse of the head of the household)-
29 (1) who is under eighteen (18) years of age; or
30 (2) who is eighteen (18) years of age or older and a
31 person with disabilities or a full-time student.
32
- 33 (b) ELDERLY AND DISABLED FAMILIES- \$400 for an elderly or disabled family.
34
- 35 (c) MEDICAL AND ATTENDANT EXPENSES- The amount by which three percent
36 (3%) of the annual income of the family is exceeded by the aggregate of-
37 (1) medical expenses, in the case of an elderly or disabled family;
38 and
39
- 40 (1) medical expenses, in the case of an elderly or disabled family;
41 and
42 (2) adoption assistance payments in excess of \$480 per adopted
43 child;

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- 1 (2) reasonable attendant care and auxiliary apparatus expenses for
2 each family member who is a person with disabilities, to the
3 extent necessary to enable any member of the family (including
4 a member who is a person with disabilities) to be employed.
- 5
- 6 (d) CHILD CARE EXPENSES- Child care expenses for the care of children
7 under the age of thirteen (13) to the extent necessary to enable another
8 member of the family to be employed or to further his or her education.
- 9 (e) EARNED INCOME OF MINORS- The amount of any earned income of any
10 member of the family who is less than eighteen (18) years of age.
- 11 **3. Children**
12 Persons under eighteen (18) years of age or under twenty-four (24) years of age
13 if living at home and attending school full time.
- 14 **4. Disabled Family**
15 Family in which there is a person with disabilities as defined in this section.
- 16 **5. Drug Related Criminal Activity**
17 The term 'drug-related criminal activity' means the illegal manufacture, sale,
18 distribution, use, or possession with intent to manufacture, sell, distribute, or
19 use, of a controlled substance (as such term is defined in Section 102 of the
20 Controlled Substances Act).
- 21 **6. Elderly and Near-elderly Families**
22 The terms '*elderly family*' and '*near elderly families*' means a family whose
23 head (or his or her spouse), or whose sole member, is an elderly or near-elderly
24 person, respectively. Such terms include two or more elderly persons or near
25 elderly persons living together, and one or more such persons living with one or
26 more persons determined by CRHC to be essential to their care or well being.
- 27 **7. Elderly Person**
28 The term '*elderly person*' means a person who is at least sixty-two (62) years of
29 age.
- 30 **8. Extended Family**
31 Family lineage, which may include: aunts, uncles, siblings, grandparents,
32 nieces, nephews, cousins, etc...as determined by the family.
- 33 **9. Family**
34 Family consists of one of the following scenarios (all other scenarios are
35 considered Extended Family as defined in this section):
36
37 (a) a single adult or emancipated minor;
38
39 (b) a single adult with a child/children;
40
41 (c) a domesticated partnership (i.e., marriage) recognized by the Housing
42 Corporation;
43
44 (d) a domesticated partnership with children recognized by the Housing
45 Corporation;

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- 1
2 (e) a parent or parents (i.e., grandparents) of a single person or a parent
3 or parents of one partner in a recognized domesticated partnership
4 with or without children (i.e., grandparents, parents, and children in
5 one household).

6 **10. Full Time Student**

7 A person who is enrolled in a certified educational institution, such as a
8 vocational school with a certificate or diploma program or an institution
9 offering a college degree, and is carrying a subject load that is considered full-
10 time for students under the standards and practices of the institution
11 attended. Typically, full time in regular quarter or semester based programs is
12 twelve (12) or more units of study, while full time during special inter
13 sessions, such as summer sessions, are typically six (6) units. Graduate study
14 programs typically consider nine (9) units of study as full time. In all such
15 cases, full-time will be based on the standards and practices of the institution
16 attended.

17 **11. Head of Household**

18 Head of household is defined as the lessee or spouse of the lessee.

19 **12. HUD**

20 The U.S. Department of Housing and Urban Development.

21 **13. Incomplete Application**

22 An incomplete application is an application in which the entire application,
23 including any components, has not be filled out and where the application
24 lacks any required supportive documents, such as a lease or deed. Incomplete
25 applications are not accepted and will not be processed.

26 **14. Indian**

27 Any person recognized as being a member of an Indian Tribe, recognized by the
28 Federal government or any state.

29 **15. Indian Family**

30 A family in which at least one family member, adult or child, is an enrolled
31 member of a recognized Indian Tribe.

32 **16. Indian Service Area**

33 CRHC's Indian Service Area is the jurisdiction authorized by the Mechoopda
34 Indian Tribe for CRHC to operate affordable housing programs. Each program
35 may have a different Indian Service Area as defined in the annual Indian
36 Housing Plan.

37 **17. Indian Tribe**

- 38
39 (a) The term '*Indian Tribe*' means a tribe that is a federally recognized tribe
40 or a State recognized tribe.
41
42 (b) The term '*federally recognized tribe*' means any Indian tribe, band,
43 nation, or other organized group or community of Indians, including any
44 Alaska Native village or regional or village corporation as defined in or

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1 established pursuant to the Alaska Native Claims Settlement Act, that is
2 recognized as eligible for the special programs and services provided by
3 the United States to Indians because of their status as Indians pursuant
4 to the Indian Self-Determination and Education Assistance Act of 1975.
5

- 6 (c) The term '***State recognized tribe***' means any tribe, band, nation,
7 pueblo, village, or community that has been recognized as an Indian
8 tribe by any State and for which an Indian Housing Authority has, before
9 the effective date under section 705 of NAHASDA, entered into a
10 contract with HUD pursuant to the United States Housing Act of 1937 for
11 housing for Indian families and has received funding pursuant to such
12 contract within the five year period ending upon such effective date.

13 **18. Low Income Family**

14 The term '***low-income family***' means a family whose income does not exceed
15 eighty percent (80%) of the median income, as determined by HUD with
16 adjustments for smaller and larger families.

17 **19. Mechoopda Tribal Family**

18 Unless conflicting with a specific program policy, a '***Mechoopda Tribal Family***'
19 is a family in which at least one family member, adult or child, is an enrolled
20 Tribal Member of the Mechoopda Indian Tribe of Chico Rancheria, California.

21 **20. Median Income Limits**

22 Median Income Limits shall be updated annually based on HUD's published
23 Annual Income Limits and, as applicable to the funding source and federal
24 regulations, when appropriate, shall be the greater of:

- 25
26 (a) The median income limits for the county, or
27
28 (b) The US median income limit

29 **21. Moderate Income Family**

30 The term '***moderate-income family***' means a family whose income is between
31 eighty percent (80%) and one hundred percent (100%) of the median income,
32 as determined by HUD with adjustments for smaller and larger families.

33 **22. NAHASDA**

34 The Native American Housing Assistance and Self-Determination Act passed by
35 the U.S. Congress in 1996.

36 **23. Persons with Disabilities**

37 *Person with Disabilities* means a person who—

- 38 (a) Has a disability as defined in section 223 of the Social Security Act;
39
40 (b) Has a developmental disability as defined in section 102 of the
Developmental Disabilities Assistance and Bill of Rights Act;
41
42 (c) Has a physical, mental, or emotional impairment which-
- (1) Is expected to be of long-continued and indefinite duration;

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1 (2) Substantially impedes his or her ability to live independently;
2 and

3 (3) Is of such a nature that such ability could be improved by
4 more suitable housing conditions.

5 (d) The term “person with disabilities” includes persons who have the
6 disease of acquired immunodeficiency syndrome or any condition
7 arising from the etiologic agent for acquired immunodeficiency
8 syndrome.

9 (e) Notwithstanding any other provision of law, no individual shall be
10 considered a person with disabilities, for purposes of eligibility for
11 housing assisted under this part, solely on the basis of any drug or
12 alcohol dependence.

13 (f) For purposes of this definition, the term “*physical, mental or*
14 *emotional impairment*” includes, but is not limited to:

15 (1) Any physiological disorder or condition, cosmetic
16 disfigurement, or anatomical loss affecting one or more of the
17 following body systems: Neurological, musculoskeletal, special
18 sense organs, respiratory, including speech organs;
19 cardiovascular; reproductive; digestive; genito-urinary; hemic
20 and lymphatic; skin; and endocrine; or

21 (2) Any mental or psychological condition, such as mental
22 retardation, organic brain syndrome, emotional or mental
23 illness, and specific learning disabilities.

24 (3) The term “ *physical, mental, or emotional impairment* ”
25 includes, but is not limited to, such diseases and conditions as
26 orthopedic, visual, speech, and hearing impairments, cerebral
27 palsy, autism, epilepsy, muscular dystrophy, multiple
28 sclerosis, cancer, heart disease, diabetes, Human
29 Immunodeficiency Virus infection, mental retardation, and
30 emotional illness.

31 **24. Self-Sufficiency Plan**

32 A plan that a participant develops in consultation with the Chico Rancheria
33 Housing Corporation outlining specific goals and achievements that will
34 prepare the family to sustain without further assistance. Specifically, the plan
35 will increase the family’s income so the family can afford shelter on their own
36 without paying over thirty percent (30%) of their adjusted income on housing
37 over a realistic time frame.

38 **25. Waiting List**

39 A list used to rank need based on a points scoring system when funding is
40 minimal or unavailable and/or when housing is unavailable. If there is a tied
41 score, the applicant that has been on the waiting list for the longest period of
42 time based on the date and time the preliminary application was received by
43 the Chico Rancheria Housing Corporation will have priority for assistance.

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- 1 (a) A separate waiting list is maintained for each program offered by
2 the Housing Corporation, and an applicant can be on multiple
3 waiting lists.
- 4 (b) Waiting lists are scored based on the individual points scheme, an
5 example of an individual program's Waiting List is depicted below:

EXAMPLE WAITING LIST SELECTION PREFERENCE:	# OF POINTS:
Mechoopda Tribal Family	100
Disabled Family	5
Each Elderly Person	5
One Child under 18	5
Two Children under 18	8
Three or More Children under 18	11

14 **B. Eligibility and Admission Information**

15 **1. General Eligibility Requirements**

16 In order to be eligible for admission to any program available through Chico
17 Rancheria Housing Corporation, the following criteria shall apply:

- 18 (a) Applicant must be a member of an 'Indian Family' as defined within
19 this policy (Tribal preference shall be given to members of the
20 Mechoopda Indian Tribe).
- 21 (b) Applicant must be least eighteen (18) years of age or an
22 emancipated minor.
- 23 (c) Applicant must reside in, or be moving within, the CRHC Indian Area
24 specific to the applicable program.
- 25 (d) Applicant must be a member of a Low-income Family (or Moderate-
26 income Family for some programs).
- 27 (e) Applicants who owe the Chico Rancheria Housing Corporation or the
28 Mechoopda Indian Tribe money are not eligible to receive
29 assistance.
- 30 (f) Prior tenants of CRHC administered properties that have had a lease
31 terminated due to non-compliance will not be eligible for CRHC
32 programs. An exception may be made if all outstanding balances
33 owed by the applicant are paid in full to CRHC and the Tribe and such
34 persons have demonstrated to CRHC 1) the ability to comply with all
35 CRHC policies, and 2) are likely to be a responsible recipient or
36 tenant.
- 37 (g) Applicant must follow any additional stipulations and requirements
38 in each individual program policy.
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46 **2. Nondiscrimination**

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- (a) CRHC shall conduct the admissions process in a manner that treats all applicants fairly and consistently. Within the parameters of the general eligibility requirements listed previously, CRHC will not discriminate based on race, color, religion, national origin, sex, disability, familial status, sexual orientation, gender identity, gender expression, marital status, medical condition, ancestry, source of income, age, genetic information, and arbitrary discrimination.
- (b) CRHC will accept applications from all eligible members of Indian Tribes. Mechoopda Tribal Members, however, shall be given tribal preference during the admittance process.

3. Applications

- (a) CRHC maintains a standard application form that is applicable to most of its programs. Some programs require additional components and have a specific program application form. Each type of application is available upon request and is also accessible on the CRHC website.
- (b) The application may be filled out by the applicant or with the assistance of the CRHC staff. An intake questionnaire may be used by the CRHC staff during the process, which can often provide insightful information that the applicant may fail to report and help determine which program(s) the applicant would benefit from the most.
- (c) The following information shall be provided within the application:
 - (1) Contact Information. The application shall include the applicant's and co-applicant's current and previous addresses, phone numbers, and landlord references including any previous Tribal or Public Housing information; the applicant's and co-applicant's current and previous employment, wages, and contact information; the applicant's and co-applicant's bank and creditor information including account numbers, balances, and contact information.
 - (2) Household Composition. The application shall include a Household Composition Form listing the names of all persons in the household as well as their gender, date of birth, social security number, and relationship among each other.
 - (3) Pets. Applicants must disclose their family pets as well, in accordance with the CRHC Pet Policy, as applicable.
 - (4) Income Certification. The application shall include a detailed certification of the current income of each person listed on the household composition form from all sources, including Tribal Revenue Share Capita Trust Funds Disbursements and Per Capita Payments. Any anticipated changes in income or additional sources, etc... shall also be reported. This information is used for purposes of establishing the household's anticipated income for the next twelve (12) months. All income must be verified by third party statements from its sources requested directly from CRHC. A statement regarding Tax Filing Status and/or a Certification of

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Assets is also required when the applicant claims not to have filed taxes or claims not to have any assets.

(5) Consent to Release Information. A Participant’s Consent to Release Information form is also included within the application that must be executed by each member of the household eighteen (18) or older prior to processing. A Privacy Act Notice must also accompany this Consent to Release Information.

(6) Supportive Documentation. In conjunction with accepting the application, CRHC requires supporting documentation be submitted pertaining to each person listed on the Household Composition Form, or the subject property, as applicable per program in order for the application to be considered complete:

- i) Tribal Enrollment Cards
- ii) Social Security Cards/Birth Certificates
- iii) State Identification Cards/Drivers License Cards
- iv) Legal Documentation Regarding Custody of Minors
- v) Tax Returns/Tax Related Forms
- vi) Deeds/Titles
- vii) Leases
- viii) Proof of Insurance/Declarations
- ix) Letters from Tribes or other Tribally Designated Housing Entities stating the availability of services provided by such Tribes

4. Pre-Admission Counseling and Family Self-Sufficiency Plans

(a) **Prior to being determined eligible, being admitted, or placed on a waiting list for many CRHC programs, pre-admission counseling is required.** CRHC staff or its agent shall provide counseling to applicants to determine proper program placement and to explain their financial and social responsibilities pertaining to the individual program. During such counseling, CRHC shall describe available housing programs and explain which program the applicant would currently benefit from the greatest and why, as well as explain the requirements of the applicant within that program and answer any questions. The applicant should disclose any background information, such as criminal history or previous eviction, etc., that may have an effect on eligibility or program placement.

(b) In order to be determined eligible for many CRHC Programs and be admitted to the program or placed on Waiting List(s), a family must have a current Family Self-Sufficiency Plan on file. Pre-admission housing counseling greatly assists in the development of such a plan

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1 and may include credit counseling & repair, household budgeting,
2 and provide referrals to additional services such as employment
3 training centers. The family is required to follow their plan and meet
4 their steps and objectives in order to remain eligible for admittance to
5 the individual program when applicable.

6 **5. Accepting Applications**

- 7
- 8 (a) Unless the waiting list is closed, CRHC will accept completed
9 applications from any eligible applicant, even if an informal
10 discussion or an intake questionnaire indicates that the applicant
11 may not be eligible for any CRHC programs at that time.
- 12
- 13 (b) The application can be submitted to CRHC in person, in the CRHC
14 office front door drop-box slot, via fax, email, or any other mailing
15 system, as well as online through the CRHC website, if and when
16 available. CRHC may have specific instructions regarding some of the
17 options for submittal and applicants are encouraged to communicate
18 through the process by email and/or telephone.
- 19
- 20 (c) After initial review by staff, if the application is complete, it must
21 be date stamped and initialed by the staff person who accepted it.
22 Once the completed application is accepted, it should be referred to
23 the appropriate staff person for processing.

24 **6. Income Limits**

- 25
- 26 (a) Income Limits used to determine eligibility for most CRHC programs
27 are based on HUD's annually published income limits, as applicable
28 per program. Some programs not subject to federal funding
29 regulations may have different income limit definitions or not be
30 subject to income limits.
- 31
- 32 (b) The Maximum Income Limit determining eligibility for most programs
33 is eighty percent (80%) of current published median incomes;
34 however, under some programs, applicants with incomes up to one
35 hundred percent (100%) of median income can be determined
36 eligible.
- 37
- 38 (c) The number of household members is a factor in setting the income
39 limits; a change in the number of household members may affect an
40 applicant's eligibility. Annual income, not adjusted income, is used
41 in determining eligibility for admission. While a family may be
42 entitled to deductions in determining rent, no deductions are
43 permitted in determining the eligibility.
- 44
- 45 (d) Minimum Income criteria also apply in the determination of
46 eligibility for some programs. In such cases, the household must have
47 a regular source of income, and thirty percent (30%) of the adjusted
48 income must meet or exceed the individual program requirements
49 for admission. A family may not be put on the waiting list with an
50 adjusted income below an applicable program minimum income
51 limit.

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7. Income Eligibility Review

- (a) Upon receiving an application and determining that it is complete, all statements and certifications made by the applicant regarding household income shall be verified by third party documentation. In example, if an applicant claims they make \$10 per hour working at a restaurant, the restaurant shall be inquired and requested to provide a statement regarding the number of hours worked and wages earned, including any anticipated wage and hour adjustments. CRHC shall use standard form for such third party verification and also provide the third party with the applicant's executed Consent to Release Information document.
- (b) Applicants may *NOT* be involved within the third party verification process with the limited exception of Social Security benefit documentation, which requires specific instruction.
- (c) Once all verifications are documented, income worksheets shall be completed, as applicable per program and submitted to the Executive Director for review in order to determine if the applicant meets income eligibility per the individual program.

8. Applicant Evaluation & Background Clearance

- (a) When applicable to the individual program, CRHC will evaluate each applicant to determine whether the applicant may have a detrimental effect on the other residents' health, safety, and peaceful living environment or on the built or natural environment. This evaluation may include researching an applicant's criminal history.
- (b) When applicable to the individual program, each adult member of the household shall be screened for background clearance in order to determine if any person may be a threat to the community. This can be done through a background screening agency. If necessary, at the discretion of CRHC, the local police department can be contacted to determine if any person in the household has a criminal record in the Department of Justice database. In the event that a member of the household has a criminal record, fingerprints may be required from such person at his/her expense and submitted to a channeling agency requesting a hard copy of the Department of Justice record. Upon receiving the federal background record, CRHC shall make the determination if the member of the household may have a detrimental effect on the other residents' health, safety, and peaceful living environment or effects the built or natural environment.
- (c) CRHC has the option to deny admission to any applicant who may be expected to have a detrimental effect on other residents' health, safety, and peaceful living environment or effects the built or natural environment. CRHC will make an informed judgment about the applicant's suitability for the individual program and grant eligibility and admission to its programs objectively and reasonably. This includes: examining the applicant's history of meeting financial

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obligations, especially rent. Determining whether the applicant has a history of:

- (1) disturbing the neighbors; or
- (2) destroying property; or
- (3) living or housekeeping habits which could adversely affect themselves and/or other residents' health, safety, and peaceful living environment or adversely affect the built or natural environment; or
- (4) criminal activity, especially involving fraud, robbery, drug and alcohol use (legal or illegal), or violence.

(d) CRHC will also deny admission to applicants who currently owe rent or other amounts to CRHC, the Tribe, other housing authorities or entities, property management companies, or landlords in connection with housing.

(e) CRHC will only consider information that is reasonably related to the individual's attributes. Acceptable forms of interview for applicant may include the following:

- (1) interviewing the applicant;
- (2) contacting current or previous landlords;
- (3) contacting current and former employers;
- (4) obtaining information from social workers, background research agencies, police departments, the FBI, DOJ, or parole officers;
- (5) conducting a credit check

(f) Prior tenants of CRHC administered properties that have had a lease terminated due to non-compliance will not be eligible for CRHC programs. An exception may be made if all outstanding balances owed by the applicant are paid in full to CRHC and the Tribe and such persons have demonstrated to CRHC 1) the ability to comply with all CRHC policies, and 2) are likely to be a responsible recipient or tenant.

9. Applicants with Disabilities

- (a) CRHC will make a reasonable efforts to accommodate disabled families.
- (b) CRHC shall make inquiries necessary to the extent permitted under applicable law in order to verify the disabled applicant's eligibility for scoring and placement on the Waiting List and to determine if a specially designed unit is needed.

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- (c) Verification of disability includes documents supporting Social Security or Supplemental Security Income disability benefits. If the applicant does not receive such benefits, other documentation may provide proof, such as residence in an institution, documents showing hospitalization for a disability, or verification by a health care professional. The applicant can provide a written statement or other verification from a physician when adequate verification is unavailable from other sources.

- (d) Previous behaviors such as a history of failing to pay rent, disturbing neighbors, destroying property, housekeeping habits that adversely affect the health and safety of themselves or other residents', or have displayed a history of disturbing the peaceful living environment or effecting the built or natural environment are a substantial basis for rejection of a disabled applicant.

10. Unit Size & Family Composition

- (a) In order to be admitted to CRHC administered units, no more than two persons shall be required to occupy one bedroom. In example, a family of 6 would be the largest family eligible to be admitted to a 3-bedroom unit. However, under circumstances where the quality of life for the family will drastically increase and the family meets all other eligibility criteria established in CRHC policies, these guidelines may be adjusted at the discretion of CRHC.

- (b) In addition to unit size and family composition, applicants must meet eligibility requirements in accordance with the CRHC Pet Policy applicable to the individual program.

11. Waiting Lists

- (a) Waiting List(s) shall show the name of the applicant, the date the completed application was accepted, the points assigned, the current address and contact information of the applicant, the verified annual income, adjusted income, and thirty percent (30%) of adjusted income, as well as other information pertinent to the individual program.

- (b) Waiting lists shall be kept updated and maintained regularly (i.e., monthly), which shall include removal, additions, and follow-up with current applicants.

- (c) Pending applicants on waiting lists are required to report any changes in family composition, household circumstances, and income or assets which would affect the family's eligibility pertinent to the program, as applicable. Applicants are required to submit completed and updated applications no less than annually in order to remain on a waiting list. CRHC staff will make reasonable attempts to contact applicants after being on the waiting list for ten (10) months to follow up on the status of the applicant.

- (d) Applicants shall be removed from the waiting list upon the following:
 - (1) The applicant's request or the applicant's failure to advise the CRHC of continued interest within one (1) year of contact; or

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- (2) The CRHC’s reasonable efforts but unsuccessful attempts to contact the applicant to determine continued interest within a reasonable amount of time, not exceeding one (1) year; or
- (3) A change in the applicant’s family composition, household circumstances, income, or assets that results in the applicant becoming ineligible.
- (e) CRHC shall document when an applicant is removed from a waiting list and include a notation as to the reason(s). The applicant shall be notified in writing stating the reason for removal, unless the applicant is admitted to the program.
- (f) Should CRHC close the waiting list, the following policies shall apply:
 - (1) The waiting list shall be closed upon approval from the Executive Director;
 - (2) CRHC shall announce publicly the decision to suspend or restrict accepting applications;
 - (3) CRHC shall publicly announce when they are going to resume taking applications;
- (g) CRHC shall maintain all information submitted in association with applications in accordance with the CRHC Records & Retention Policy.

12. Status Notification

- (a) Once a completed application has been processed and reviewed to determine eligibility, the applicant shall be notified in writing of his/her status, either by mail or email at the address listed on the application. If determined eligible, the applicant shall be added to the Waiting List. CRHC shall not disclose individual applicants placement or rank on such Waiting List until admission is offered, yet can let the applicant know his/her point score as well as inform the applicant of the number of other applicants on such Waiting List. In addition, CRHC can inform the applicant of the general availability of units, etc... Rank and placement are continuously changing based on the composition of the applicants on the list, thus providing ranking information to applicants can create misunderstandings and mistrust.
- (b) In the case of an ineligible determination, the written notification shall state the reason why the applicant is not eligible. If the applicant disagrees with CRHC’s determination or files a written complaint, consultation is encouraged between staff and the applicant. If consultation does not remedy the disagreement or complaint, procedures within CRHC’s Grievance Policy shall be followed.

13. Admittance

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- (a) When funding, availability, or other factors allow for additional admittance to individual programs from the Waiting List, the applicant with the most points (ranked highest) shall be offered admittance to the program. When CRHC has an appropriate size and type of unit in its inventory or has funding available for one of its other programs, CRHC will notify the applicant in writing on a form which requires the applicant to accept or reject the assistance or unit and *to provide a written explanation for the refusal*. The form shall indicate the unit or assistance offered, the address and details of each offer, and include an estimated admittance date, as applicable. If the applicant fails to contact the CRHC office within five (5) business days and fails to return the form within ten (10) business days from the date CRHC mails or emails the offer, the offer shall be considered refused and the next eligible applicant shall be offered the unit. All acceptance/rejection forms shall be maintained in the applicants' files. In the event the applicant rejects the offer without reasonable supportive documentation (i.e., health and safety issue), the applicant shall forfeit all Waiting List points.
- (b) In the case when two or more applicants score the same amount of individual program Waiting List points and if each application is completely processed on the same date, the completed application that was submitted to CRHC first shall be given preference. In the event both were submitted at the same time, the Executive Director will take into consideration both family compositions and select the most suitable family to be placed in the unit
- (c) When filling an actual or expected vacancy, the CRHC will offer the dwelling to an applicant needing that size and type of unit, in the order of the priority, based on selection preferences, until someone accepts it. All offers of available units shall be mailed or hand delivered to the applicant.

14. Records and Retention

- (a) CRHC shall support the eligibility status for all applicants and retain such documentation in accordance with the CRHC Records and Retention Policy.
- (b) CRHC shall maintain a record of the assistance offered to an applicant including the location, date, and circumstances of each offer and each rejection or acceptance. If the applicant rejects the unit, CRHC shall note the reason for the rejection.
- (c) CRHC shall retain documentation in accordance with the CRHC Records and Retention Policy.

15. Housing Standards

- (a) The Chico Rancheria Housing Corporation's Housing Standards are at least as stringent as the Section 8 Housing Quality Standards (HQS) contained in 24 CFR 982.401.

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- (b) Filthy living habits will not be tolerated. A history of poor housekeeping habits that adversely affects the health and safety of the resident or other residents' health, safety, and peaceful living environment or effects the built or natural environment are a substantial basis for rejection of eligibility.

- (c) Inspections: CRHC will conduct, or arrange to have conducted, pre-occupancy inspections utilizing the adopted CRHC Inspection Form to insure any unit is a healthy, safe, and decent place to reside prior to approval of residency and/or assistance. Additional stipulations and requirements are addressed in individual program policies.

17. Obligations.

- (a) Applicant Obligations: Applicants must submit complete applications with all required supportive documentation in order for CRHC to process their application. Incomplete applications will not be processed. Applicants must adhere to all rules set forth in the individual program policy in which they apply or participate in as well as provide all necessary information and cooperate with CRHC in order for CRHC to process applications.

- (b) CRHC Obligations: CRHC is responsible for determining the eligibility status of applicants and admitting eligible applicants to its programs. Additional CRHC obligations are specified in each individual program policy.

18. Terminations

- (a) Individual program policies address the termination of assistance. Generally, assistance may be terminated at the discretion of CRHC for any of the following reasons:
 - (1) Any violation of family obligations set forth in each individual program policy.
 - (2) Suspicion of illegal drug activity or criminal activity, which may include a police report documenting such activity.
 - (3) Failure of family to sign and submit verification documents for re-certification.
 - (4) If the family moves out of the unit without formal notification and correspondence with the Housing Corporation.

 - (5) If program funding is insufficient to support continued assistance for the family.