

CHICO RANCHERIA HOUSING CORPORATION

Move-In Assistance Policy

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Subject: CHICO RANCHERIA HOUSING CORPORATION <u>MOVE-IN ASSISTANCE POLICY</u>	Number: 6 Effective Date: 11-07-2016
Statute: Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA) (25 U.S.C. 4163 et seq.); Regulations 24 CFR §1000;	Supersedes: All Previous Versions
Authority: MIT Ordinance:	File Reference: Approved: 11-07-2016

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I. PURPOSE

The Chico Rancheria Housing Corporation has established a Move-In Assistance Program that enables the corporation to better serve the housing needs of tribal members. The program provides rental housing assistance consisting of the first month's rent and security deposit to qualified tribal members living in the defined Indian Service Area. This assistance program can be utilized twice in a lifetime with a four year period between the first usage and the last usage.

Chico Rancheria Housing Corporation has established the following goals to meet the needs of tribal members:

- A. To provide safe, sanitary and decent affordable housing to low-income tribal members who are able to meet the monthly payment obligation, with or without tenant-based rental assistance, but lack funding for the first month's rent and security deposit.
- B. To help alleviate the financial burden on low-income tribal members when found to be in need of adequate housing.
- C. To remove tribal members from potentially harmful situations that may occur due to the possibility of homelessness.
- D. To meet the housing needs of a greater number of tribal members by maximizing the resources under NAHASDA.

II. POLICY

A. Definitions

1. All Areas of the United States.

All areas of the United States includes all continental states, Alaska, Hawaii, and any and all lands held in Trust by the U.S. Department of Interior including Indian Reservations within the continental states and Alaska and Hawaii.

2. Annual Income.

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

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

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member over the age of eighteen (18); or
- (2) Are anticipated to be received from a source outside the family during the twelve (12) month period following admission or annual reexamination effective date; and
- (3) Which are not specifically excluded in paragraph (c) of this section.
- (4) Annual income also means amounts derived, during the twelve (12)

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month period, from assets to which any member of the family has access.

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

- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
- (2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
- (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;
- (4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);
- (5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);
- (6) *Welfare assistance payments.*
 - (i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:
 - (A) Qualify as assistance under the TANF program definition at 45 CFR 260.31; and
 - (B) Are not otherwise excluded under paragraph (c) of this

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section.

(ii) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

(A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

(B) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is 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;

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- (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;
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- (8)
 - (i) Amounts received under training programs funded by HUD;
 - (ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - (iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
 - (iv) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;
 - (v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;
- (9) Temporary, nonrecurring or sporadic income (including gifts);
- (10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- (11) Earnings in excess of \$480 for each full-time student eighteen (18) years old or older (excluding the head of household and spouse);

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- (12) Adoption assistance payments in excess of \$480 per adopted child;
- (13) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
- (14) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
- (15) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
- (16) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.

(d) *Annualization of income.* If it is not feasible to anticipate a level of income over a twelve (12) month period (*i.e.*, seasonal or cyclic income), or CRHC believes that past income is the best available indicator of expected future income, CRHC may annualize the income anticipated for a shorter period, subject to a re-determination at the end of the shorter period.

3. Adjusted Income

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

- (a) YOUTHS, STUDENTS, AND PERSONS WITH DISABILITIES- \$480 for each member of the family residing in the household (other than the head of the household or the spouse of the head of the household)-
 - (1) who is under eighteen (18) years of age; or
 - (2) who is eighteen (18) years of age or older and a person with disabilities or a full-time student.
- (b) ELDERLY AND DISABLED FAMILIES- \$400 for an elderly or disabled family.
- (c) MEDICAL AND ATTENDANT EXPENSES- The amount by which three percent (3%) of the annual income of the family is exceeded by the aggregate of-
 - (1) medical expenses, in the case of an elderly or disabled family; and
 - (2) reasonable attendant care and auxiliary apparatus expenses for each family member who is a person with disabilities, to the extent necessary to enable any member of the family (including a member who is a person with disabilities) to be employed.

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- (d) CHILD CARE EXPENSES- Child care expenses for the care of children under the age of thirteen (13) to the extent necessary to enable another member of the family to be employed or to further his or her education.
- (e) EARNED INCOME OF MINORS- The amount of any earned income of any member of the family who is less than eighteen (18) years of age.

4. Children

Persons under eighteen (18) years of age or under twenty-four (24) years of age if living at home and attending school full time.

5. Drug Related Criminal Activity

The term 'drug-related criminal activity' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use, of a controlled substance (as such term is defined in section 102 of the Controlled Substances Act).

6. Elderly and Near-elderly Families

The terms '*elderly family*' and '*near elderly families*' means a family whose head (or his or her spouse), or whose sole member, is an elderly or near-elderly person, respectively. Such terms include two or more elderly persons or near elderly persons living together, and one or more such persons living with one or more persons determined by CRHC to be essential to their care or well being.

7. Elderly Person

The term '*elderly person*' means a person who is at least sixty-two (62) years of age.

8. Extended Family

Family lineage, which may include: aunts, uncles, siblings, grandparents, nieces, nephews, cousins, etc...as determined by the family

9. Family

Family consists of one of the following scenarios (all other scenarios are considered Extended Family as defined in this section):

- (a) a single adult or emancipated minor;
- (b) a single adult with a child/children;
- (c) a domesticated partnership (i.e., marriage);
- (d) a domesticated partnership with children;
- (e) a parent or parents (i.e., grandparents) of a single person or recognized parent or parents of one partner in a domesticated partnership with or without children.

10. Full Time Student

A person who is enrolled in a certified educational institution, such as a vocational school with a certificate or diploma program or an institution offering a college degree, and is carrying a subject load that is considered full-time for students under the standards and practices of the institution attended. Typically, full time in regular quarter or semester based programs is twelve (12) or more units of study, while full

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time during special inter sessions, such as summer sessions, are typically six (6) units. Graduate study programs typically consider nine (9) units of study as full time. In all such cases, full-time will be based on the standards and practices of the institution attended.

11. HUD

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

12. Indian

Any person recognized as being an enrolled member of an Indian Tribe or Alaskan Native Tribe, recognized by the Federal government or any state. In addition, any person recognized as a Native American by the Bureau of Indian Affairs (BIA) or a tribally recognized descendent (child or grandchild) of an enrolled member of a Federal government or state recognized Indian Tribe or Alaska Native Tribe.

13. Indian Service Area

CRHC's Indian Service Area is the jurisdiction authorized by the Mechoopda Indian Tribe for CRHC to operate affordable housing programs. Each program may have a different Indian Service Area as defined in the annual Indian Housing Plan (IHP). The service area for the Move-In Assistance Program is defined as all areas of the United States.

14. Indian Tribe

- (a) The term '*Indian tribe*' means a tribe that is a federally recognized tribe or a State recognized tribe.
- (b) The term '*federally recognized tribe*' means any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians pursuant to the Indian Self-Determination and Education Assistance Act of 1975.
- (c) The term '*State recognized tribe*' means any tribe, band, nation, pueblo, village, or community that has been recognized as an Indian tribe by any State and for which an Indian Housing has, before the effective date under section 705 of NAHASDA, entered into a contract with HUD pursuant to the United States Housing Act of 1937 for housing for Indian families and has received funding pursuant to such contract within the 5-year period ending upon such effective date.

15. Low Income Family

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

16. Median Income Limits

Median Income Limits shall be updated annually based on HUD's published Annual Income Limits and shall be the greater of:

- (a) The median income limits for the county, or

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- (b) The US median income limit

17. NAHASDA

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

18. Persons with Disabilities

Person with Disabilities means a person who—

- (a) Has a disability as defined in section 223 of the Social Security Act;
- (b) Has a developmental disability as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act;
- (c) Has a physical, mental, or emotional impairment which-
- (1) Is expected to be of long-continued and indefinite duration;
 - (2) Substantially impedes his or her ability to live independently; and
 - (3) Is of such a nature that such ability could be improved by more suitable housing conditions.
- (d) The term “person with disabilities” includes persons who have the disease of acquired immunodeficiency syndrome or any condition arising from the etiologic agent for acquired immunodeficiency syndrome.
- (e) Notwithstanding any other provision of law, no individual shall be considered a person with disabilities, for purposes of eligibility for housing assisted under this part, solely on the basis of any drug or alcohol dependence. The Secretary shall consult with Indian tribes and appropriate Federal agencies to implement this paragraph.
- (f) For purposes of this definition, the term “ *physical, mental or emotional impairment* ” includes, but is not limited to:
- (1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
 - (2) Any mental or psychological condition, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
 - (3) The term “ *physical, mental, or emotional impairment* ” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, and

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emotional illness.

19. Rent

The term 'rent' means the total of the monthly rent charged by the landlord.

20. Waiting List

A list used to rank need based on a points scoring system when funding is minimal or unavailable. If there is a tied score, the applicant that has been on the waiting list for the longest period of time based on the date and time the preliminary application was received by the Chico Rancheria Housing Corporation will have priority for assistance. The waiting list will be scored as follows:

WAITING LIST SELECTION PREFERENCE:	# OF POINTS:
Mechoopda Tribal Member	100
Involuntarily Displaced	10
Elderly Family	5
Disabled Family	1
Each dependent	1

B. Funding Availability

CRHC has designated funds for the Move-in Assistance Program for the purpose of assisting low-income tribal members who must relocate to affordable housing within the CRHC Indian Area and are determined eligible. Once the designated funds are extinguished the applicant will be placed on a waiting list and notified when funding is available.

1. Amount of Assistance

Low-income Families may receive up to \$2,000.00 towards the first month's rent and security deposit. The amount of the actual assistance will be based the requirements of the property owner, landlord, or property manager of the rental unit as stated on the signed Rental Agreement. Additional deposits due to pets will not be included in the assistance.

2. Payments

All payments will be paid directly to the property owner, landlord, or property manager of the rental unit upon receipt of a current W-9 form.

4. Utilities

Utilities are excluded from the amount of the move-in assistance and are the responsibility of the tenant/applicant.

5. Return of Deposit

If a participant moves out from the rented premises, the deposit is to be returned to the low-income tribal member to use for his or her next rental.

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C. Eligibility Requirements

In order to be eligible for Move-in Assistance, the following criteria shall apply:

1. Enrolled Tribal Member

Applicant/s must be an enrolled member of an Indian Tribe (Tribal preference shall be given to members of the Mechoopda Indian Tribe). Waiting List Applicants will be served based on the waiting list with preference given to members of the Mechoopda Indian Tribe.

2. Age

Applicant must be least eighteen (18) years of age or an emancipated minor.

3. Indian Service Area

Applicant must reside in or be moving within the CRHC Indian Area. The service area for the Move-In Assistance Program is defined as all areas of the United States.

4. Low-Income

Applicant must be a member of a Low-Income Family.

5. Minimum Income

Applicant must maintain a minimum income to qualify for assistance. As required by NAHASDA regulations (CFR 24 § 1000.124), rent shall not exceed thirty percent (30%) of the family's adjusted income. If rent does exceed thirty percent (30%) of the family's adjusted income, the family may be eligible for assistance under the CRHC Family Tenant Based Rental Assistance (TBRA) program in conjunction with Move-In Assistance.

6. Bad Debts

Applicants who owe the Chico Rancheria Housing Corporation or the Mechoopda Indian Tribe money are not eligible to receive Move-In assistance.

7. Previous Terminations or Evictions

Applicants who have been previously terminated or evicted from any program administered by the Chico Rancheria Housing Corporation or the Mechoopda Indian Tribe are not eligible to receive assistance unless all outstanding balances owed by said prior tenant are paid in full and the applicant demonstrates to Chico Rancheria Housing Corporation that he/she would be a satisfactory tenant.

8. Twice in a Lifetime Rule

Participants will only be allowed this service once in a four year period, and only twice in a lifetime. Under normal rental conditions, the Security Deposit is to be returned to the participant/low-income tribal member when the rental unit is vacated. Under unusual circumstances within the four year period pursuant to paragraph 5 of this section, an applicant may reapply for assistance, contingent on available funding.

9. Converging Assistance

A participant may not receive rental assistance while receiving the benefit of any other form of housing subsidy for the same dwelling unit (this shall not be confused with TBRA, as TBRA shall not overlap with Move-In Assistance).

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10. Relations to Landlord

Applicants cannot be related to the property owner, landlord, or manager of the rental unit.

D. Housing Standards

1. Minimum Housing Quality Standards (HQS) - Appendix A

- (a) The Chico Rancheria Housing Corporation will utilize the adopted housing quality standards in determining if the unit is a decent, healthy and safe place to live.
- (b) The Chico Rancheria Housing Corporation will provide the participant with information to assist them in finding housing that meets the minimum requirements.

2. Inspections

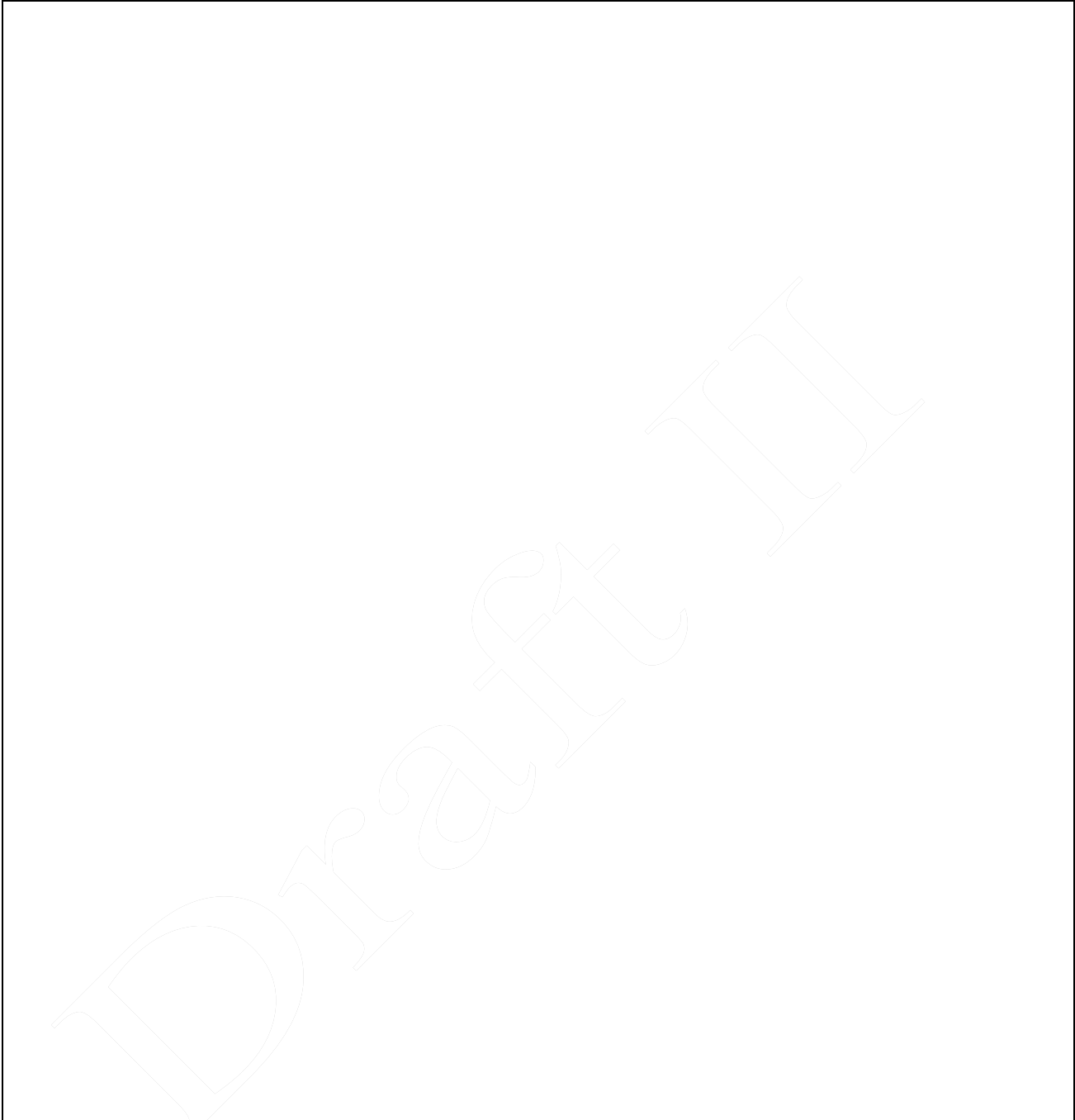
- (a) The Chico Rancheria Housing Corporation will conduct, or arrange to have conducted, a pre-occupancy inspections utilizing the adopted HQS and inspection form to insure the unit is a healthy, safe, and decent place to reside prior to approval of assistance payments. If the unit does not pass the inspection, assistance can be approved if the landlord is willing to make necessary repairs to bring the unit up to the minimum requirements. If the landlord is not willing to make the repairs assistance cannot be approved.
- (b) As required by the state, the landlord must provide the required disclosure of information on lead-based paint.

E. Process

Applicant must provide:

- A completed application
- Current proof of income for self and all other members of the household eighteen (18) and over
- A signed Authorization for Release of Information
- Copy of signed lease / rental agreement
- Once the lease and the unit have been approved by the Chico Rancheria Housing Corporation, the Recipient and the Chico Rancheria Housing Corporation will execute a Recipient Agreement (Appendix C) for the assistance payment amount showing the effective date of payment and amount of monthly rent and deposit paid.

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Appendix A

HUD established Housing Quality Standards

Housing Quality Standards (24CFR 982.401)

1. **Performance and acceptability requirements.**
 - A. This section states the housing quality standards (HQS) for housing assisted in the programs.
 - B. The HQS consist of:
 - (1) Performance requirements; and
 - (2) Acceptability criteria or HUD approved variations in the acceptability criteria.
 - C. This section states performance and acceptability criteria for these key aspects of housing quality:
 - (1) Sanitary facilities;
 - (2) Food preparation and refuse disposal;
 - (3) Space and security;
 - (4) Thermal environment;
 - (5) Illumination and electricity;
 - (6) Structure and materials;
 - (7) Interior air quality;
 - (8) Water supply;
 - (9) Lead-based paint;
 - (10) Access;
 - (11) Site and neighborhood;
 - (12) Sanitary condition; and
 - (13) Smoke detectors.
 - D. All program housing must meet the HQS performance requirements both at commencement of assisted occupancy, and throughout the assisted tenancy.
 - E. In addition to meeting HQS performance requirements, the housing must meet the acceptability criteria stated in this section, unless variations are approved by HUD.
 - F. HUD may approve acceptability criteria variations for the following purposes:

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- (1) Variations which apply standards in local housing codes or other codes adopted by the CRHC; or
 - (2) Variations because of local climatic or geographic conditions.
 - G. Acceptability criteria variations may only be approved by HUD pursuant to paragraph (a)(4)(ii) of this section if such variations either:
 - (1) Meet or exceed the performance requirements; or
 - (2) Significantly expand affordable housing opportunities for families assisted under the program.
 - H. HUD will not approve any acceptability criteria variation if HUD believes that such variation is likely to adversely affect the health or safety of participant families, or severely restrict housing choice.
2. **Sanitary facilities.**
- A. **Performance requirements.** The dwelling unit must include sanitary facilities located in the unit. The sanitary facilities must be in proper operating condition, and adequate for personal cleanliness and the disposal of human waste. The sanitary facilities must be usable in privacy.
 - B. **Acceptability criteria.**
 - (1) The bathroom must be located in a separate private room and have a flush toilet in proper operating condition.
 - (2) The dwelling unit must have a fixed basin in proper operating condition, with a sink trap and hot and cold running water.
 - (3) The dwelling unit must have a shower or a tub in proper operating condition with hot and cold running water.
 - (4) The facilities must utilize an approvable public or private disposal system (including a locally approvable septic system).
4. **Food preparation and refuse disposal.**
- A. **Performance requirement.**
 - (1) The dwelling unit must have suitable space and equipment to store, prepare, and serve foods in a sanitary manner.
 - (2) There must be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage where necessary (e.g, garbage cans).
 - B. **Acceptability criteria.**
 - (1) The dwelling unit must have an oven, and a stove or range, and a refrigerator of appropriate size for the family. All of the equipment must be in proper operating condition. The equipment may be supplied by either the owner or the

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family. A microwave oven may be substituted for a tenant-supplied oven and stove or range. A microwave oven may be substituted for an owner-supplied oven and stove or range if the tenant agrees and microwave ovens are furnished instead of an oven and stove or range to both subsidized and unsubsidized tenants in the building or premises.

- (2) The dwelling unit must have a kitchen sink in proper operating condition, with a sink trap and hot and cold running water. The sink must drain into an approvable public or private system.
- (3) The dwelling unit must have space for the storage, preparation, and serving of food.
- (4) There must be facilities and services for the sanitary disposal of food waste and refuse, including temporary storage facilities where necessary (e.g., garbage cans).

5. Space and security

A. Performance requirement. The dwelling unit must provide adequate space and security for the family.

B. Acceptability criteria.

- (1) At a minimum, the dwelling unit must have a living room, a kitchen area, and a bathroom.
- (2) The dwelling unit must have at least one bedroom or living/sleeping room for each two persons. Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room.
- (3) Dwelling unit windows that are accessible from the outside, such as basement, first floor, and fire escape windows, must be lockable (such as window units with sash pins or sash locks, and combination windows with latches). Windows that are nailed shut are acceptable only if these windows are not needed for ventilation or as an alternate exit in case of fire.
- (4) The exterior doors of the dwelling unit must be lockable. Exterior doors are doors by which someone can enter or exit the dwelling unit.

6. Thermal environment.

A. Performance requirement. The dwelling unit must have and be capable of maintaining a thermal environment healthy for the human body.

B. Acceptability criteria.

- (1) There must be a safe system for heating the dwelling unit (and a safe cooling system, where present). The system must be in proper operating condition. The system must be able to provide adequate heat (and cooling, if applicable), either directly or indirectly, to each room, in order to assure a healthy living environment appropriate to the climate.
- (2) The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Electric heaters are acceptable.

7. **Illumination and electricity.**
- A. **Performance requirement.** Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants. The dwelling unit must have sufficient electrical sources so occupants can use essential electrical appliances. The electrical fixtures and wiring must ensure safety from fire.
- B. **Acceptability criteria.**
- (1) There must be at least one window in the living room and in each sleeping room.
 - (2) The kitchen area and the bathroom must have a permanent ceiling or wall light fixture in proper operating condition. The kitchen area must also have at least one electrical outlet in proper operating condition.
 - (3) The living room and each bedroom must have at least two electrical outlets in proper operating condition. Permanent overhead or wall-mounted light fixtures may count as one of the required electrical outlets.
8. **Structure and materials.**
- A. **Performance requirement.** The dwelling unit must be structurally sound. The structure must not present any threat to the health and safety of the occupants and must protect the occupants from the environment.
- B. **Acceptability criteria.**
- (1) Ceilings, walls, and floors must not have any serious defects such as severe bulging or leaning, large holes, loose surface materials, severe buckling, missing parts, or other serious damage.
 - (2) The roof must be structurally sound and weather tight.
 - (3) The exterior wall structure and surface must not have any serious defects such as serious leaning, buckling, sagging, large holes, or defects that may result in air infiltration or vermin infestation.
 - (4) The condition and equipment of interior and exterior stairs, halls, porches, walkways, etc., must not present a danger of tripping and falling. For example, broken or missing steps or loose boards are unacceptable.
 - (5) Elevators must be working and safe.
9. **Interior air quality.**
- A. **Performance requirement.** The dwelling unit must be free of pollutants in the air at levels that threaten the health of the occupants.
- B. **Acceptability criteria.**
- (1) The dwelling unit must be free from dangerous levels of air pollution from carbon monoxide, sewer gas, fuel gas, dust, and other harmful pollutants.

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- (2) There must be adequate air circulation in the dwelling unit.
 - (3) Bathroom areas must have one openable window or other adequate exhaust ventilation.
 - (4) Any room used for sleeping must have at least one window. If the window is designed to be openable, the window must work.
10. **Water supply.**
- A. **Performance requirement.** The water supply must be free from contamination.
 - B. **Acceptability criteria.** The dwelling unit must be served by an approvable public or private water supply that is sanitary and free from contamination.
11. **Lead-based paint performance requirement.** The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations at part 35, subparts A, B, M, and R of this title apply to units assisted under this part (See Disclosure of Lead Based Paint, Appendix B).
12. **Access performance requirement.** The dwelling unit must be able to be used and maintained without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire (such as fire stairs or egress through windows).
13. **Site and Neighborhood.**
- A. **Performance requirement.** The site and neighborhood must be reasonably free from disturbing noises and reverberations and other dangers to the health, safety, and general welfare of the occupants.
 - B. **Acceptability criteria.** The site and neighborhood may not be subject to serious adverse environmental conditions, natural or manmade, such as dangerous walks or steps; instability; flooding, poor drainage, septic tank back-ups or sewage hazards; mudslides; abnormal air pollution, smoke or dust; excessive noise, vibration or vehicular traffic; excessive accumulations of trash; vermin or rodent infestation; or fire hazards.
14. **Sanitary condition.**
- A. **Performance requirement.** The dwelling unit and its equipment must be in sanitary condition.
 - B. **Acceptability criteria.** The dwelling unit and its equipment must be free of vermin and rodent infestation.
15. **Smoke detectors performance requirement.**
- A. Except as provided in paragraph (n)(2) of this section, each dwelling unit must have at least one battery-operated or hard-wired smoke detector, in proper operating condition, on each level of the dwelling unit, including basements but excepting crawl spaces and unfinished attics. Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 (or its successor standards). If the dwelling unit is occupied by any hearing-impaired person, - smoke detectors must have an alarm system, designed for hearing-impaired

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persons as specified in NFPA 74 (or successor standards).

- B. For units assisted prior to April 24, 1993, owners who installed battery-operated or hard-wired smoke detectors prior to April 24, 1993 in compliance with HUD's smoke detector requirements, including the regulations published on July 30, 1992, (57 FR 33846), will not be required subsequently to comply with any additional requirements mandated by NFPA 74 (i.e., the owner would not be required to install a smoke detector in a basement not used for living purposes, nor would the owner be required to change the location of the smoke detectors that have already been installed on the other floors of the unit).

DRAFT

Chico Rancheria Housing Corporation

Move-In Assistance Policy

Appendix B – Disclosure of Information on Lead-Based Paint and Lead-Based Paint Hazards

Draft III

Chico Rancheria Housing Corporation
Appendix B – Recipient Agreement

Appendix B

MOVE-IN ASSISTANCE RECIPIENT AGREEMENT

I, _____, have received and read the policy for the Move-In Assistance Program offered through Chico Rancheria Housing Corporation. Chico Rancheria Housing Corporation will pay \$_____ directly to my property manager/landlord for my security deposit and \$_____ for my first month's rent for a total of \$_____. I am responsible for every month after. I understand that there is a \$2,000.00 cap for assistance and that I am responsible for any amount exceeding \$2,000.00.

In order to receive this assistance, I understand that I must:

1. Make the monthly payment in the amount of \$ _____ to the property manager/landlord in accordance with my lease
2. Disclose and verify social security numbers
3. Upkeep my home so that I can retain the security deposit when I vacate the home
4. Pay all utility bills
5. Allow employees from Chico Rancheria Housing Corporation into my home for inspections

I also understand that I must not:

1. Own or have any interest in the unit
2. Commit any serious or repeated violation of the lease
3. Commit fraud, bribery or any other corrupt criminal act in connection with the program.
4. Participate in illegal drug activity or violent criminal activity
5. Sublease or let the unit or assign the lease or transfer the unit
6. Receive any other housing subsidy for the same unit or a different unit from any state, federal or local housing program
7. Damage the unit or premises (other than normal wear and tear) or permit any guest to damage the unit or premises

Furthermore, I understand that if I do not comply with the terms set forth in this agreement, Chico Rancheria Housing Corporation will terminate my move-in assistance.

IN WITNESS WHEREOF, the Corporation and Recipient have executed this Agreement.

By: _____ Date: _____
On the behalf of the Recipient

By: _____ Date: _____
On the behalf of CRHC