

EMERGENCY HOUSING PROGRAM POLICY FOR THE SILETZ TRIBAL HOUSING DEPARTMENT (STHD)

I. PURPOSE OF PROGRAM

To prevent Tribal member households from becoming homeless and assist tribal households who are currently homeless to establish stable housing. Funding for the Emergency Housing Program is based on a first come, first served basis. Service district is throughout the United States of America. There is no active waiting list maintained for this program. This program will open January 1st of each year and will remain open until funding is exhausted.

II. DEFINITIONS

1. Emergency: An unforeseen combination of circumstances or the resulting state that calls for immediate action.
2. Homeless: Forced to live in a place not meant for human habitation. Having no primary nighttime residence. People who are fleeing or attempting to flee a domestic violence situation.
3. Hidden Homeless: Household with or without children who are living temporarily with friends, relatives; or households who are facing eviction within 14 days.
4. Eviction: The lawful expulsion of an occupant from a property due to nonpayment of rent, disrupting the livability of the property or adversely affecting the health and/or safety of any person.

III. ELIGIBILITY

1. Tribal member households determined to be homeless, hidden homeless or facing eviction. To be considered as a tribal member household, the head of household, the spouse or a minor child (ren) must be an enrolled Siletz tribal member.
2. Household gross income must be at or below 80 percent of the median income limit based on family size.
3. Tribal member households who have been assisted must wait 3 Years from the date a check is issued to the landlord or mortgage company before they are eligible for the Emergency Housing Program.
4. Emergency housing services cannot be provided to units already receiving assistance from the Siletz Tribal Housing Department's (STHD) Low Rent, Mutual Help and Rental Assistance Programs.

5. Emergency must be because of circumstances beyond the applicants' control (i.e. loss of income, medical situation or foreclosure of rental property.)
6. Applicants must show their income is adequate to support the rental/lease payment without exceeding 30% of annual income.

IV. INELIGIBILITY

1. If any household member has committed fraud or misrepresentation while utilizing the STHD's Emergency Housing Program they will not be eligible to utilize the emergency housing assistance program for 10 Years.
2. If any household member damages a unit assisted by the STHD's Emergency Housing Program, the adult household members will not be able to utilize the program until all damages are paid in full.
3. Any eviction due to illegal activities, destruction or lack of maintenance of dwelling, or physical violence perpetrated by the applicant, will not be eligible.
4. If the fraudulent act resulted in funds due and owing the STHD, not otherwise referred to above, the applicant must, in addition to satisfaction of this section, reimburse the STHD in whole to be considered eligible for services.

V. USES

1. Emergency Assistance may be used for one of the following:
 - A. Delinquent rent with or without a late fee, assistance not to exceed \$1,500.00. Required documents including a copy of the eviction, 72-hour notice, documenting the amount due must be submitted with application;
 - B. Deposit plus first and last month's rent not to exceed \$1,500.00;
 - C. Mortgage assistance not to exceed \$1,500.00. Required documents including a copy of the delinquent mortgage or foreclosure notice documenting the amount due must be submitted with application;
 - D. Rent not to exceed \$1,500.00 for Tribal Members moving into a nursing home, group home, or transitional living center; or
 - E. Rent not to exceed \$1,500 for Tribal Members moving into a room in a private home that accommodates more than one tenant and where facilities, such as the kitchen, are commonly shared by each tenant.

2. Trailer/mobile home park mortgage/rent and space rent will be considered as one payment not to exceed \$1,500.00.

Proof of rent or mortgage is required for applications to be complete. Rent or mortgage must be reasonable amount and may not exceed 30% of adjusted income.

VI. PROHIBITIONS

Renting from the following is prohibited:

1. An immediate family member (i.e. father, mother, son, daughter, husband, wife, sibling);
2. Any other person living in the household, except as described in Section V.E.; or
3. Motels.

VII. PROCEDURE

1. The applicant must complete the Emergency Housing Program application as follows: names of all household members, tribal affiliation information, certification of social security number, date of birth, address, income amounts and income sources for all household members. A written statement by the applicant justifying the assistance requested must be completed and supporting documentation.
2. The applicant must provide copies of household members' Social Security Cards and income statements showing gross income.
3. The applicant must provide a copy of the original lease, rental agreement or mortgage payment statement or payment book. Late fees will be paid only if required by the aforementioned documents. Any fees assessed through court proceedings will NOT be covered. All applications must include a statement from the landlord/mortgage company verifying that receipt of assistance will prevent eviction/foreclosure.
4. The STHD staff will review an application for completeness and calculate income eligibility before the application is considered complete and any payment is authorized. If any required documentation is not submitted with the application, the application will be deemed "Incomplete".
5. A receipt letter will be provided to the applicant via USPS within 14 days from the date the application is received by the STHD. The applicant will be given fourteen (14) days from the receipt letter date to respond and correct any deficiencies. Other efforts to communicate with the applicant, to assist with completion of the application as soon as possible, will occur as needed.

6. Staff will process check requests to the landlord, financial institution or business; no payments will be issued to program participants.

VIII. HOUSING DEPARTMENT GRIEVANCE/COMPLAINT PROCESS:

1. Right to a Hearing:

Upon filing of a written request as provided herein, a complainant shall be entitled to an opportunity for hearing.

2. Definitions

- A. "Complainant" means any tenant or participant in a HUD assisted or NAHASDA assisted Housing Project operated by the Housing Department of the Confederated Tribes of Siletz Indians of Oregon (CTSI), formerly Siletz Indian Housing Authority (STHD) whose rights, duties, welfare, or status are adversely affected by CTSI action or failure to act and, who files a Grievance or Complaint with respect to such action. ("Complainant" may hereinafter be referred to as "you".)
- B. "Grievance" or "Complaint" means any dispute with respect to CTSI Housing Department action or failure to act pursuant to a lease or Mutual Help and Occupancy Agreement or CTSI Housing Department regulations, policies, or procedures which affects the rights, duties, welfare or status of the complainant.

Informal Dispute Resolution:

If the STHD makes a decision that would be subject to appeal, the staff member who made the decision will attempt to informally resolve.

While informal resolution is encouraged, it does not affect the time limits to formally complain, grieve and appeal. Appeals must be filed within 10 days from the date of the initial decision. Administrative remedies must be exhausted, and you cannot skip a step in the formal process.

Formal Dispute Resolution:

1st Step: Review by Housing Director

If you disagree with a decision or action of the Housing Department, you have the right to file a complaint, grievance or request for review with the Housing Director within 20 days from the date of the department's decision or action complained of. The Housing Director will review your case and respond in writing within 20 days.

No particular form is required to do this as long as the complaint or grievance: (1) is in writing and is signed by the party or his or her spokesperson or attorney; and (2) is actually and timely delivered to the Housing Department. If you want additional information or documentation considered, please deliver them with your appeal.

2nd Step: Review by Housing Committee

If the Housing Director denies your complaint, or if the Housing Director signed the initial decision, you have the right to appeal to the Siletz Tribal Housing Committee in writing within 10 days from the date of the Housing Director's decision. The decision of the Housing Committee shall be the final administrative decision of the Tribe.

No particular form is required to do this as long as the complaint or grievance: (1) Is in writing and is signed by the party or his or her spokesperson or attorney; and (2) is actually and timely delivered to the Housing Department. If you want additional information or documentation considered please deliver them with your appeal or bring them to the hearing. If you appeal to the Housing Committee it is your responsibility to find out when the next Housing Committee meets and to attend if you wish to testify.

3rd Step: Tribal Court

If the Housing Committee denies your appeal, you have the right to appeal to the Siletz Tribal Court within 20 days from the date of the response from the Siletz Tribal Housing Committee.

Ordinarily, you will not be able to present additional evidence to the Tribal Court. One requesting Tribal Court review has the burden of showing that based on administrative record previously developed; the final administrative decision of the Tribe is erroneous as a matter of law.