

General Welfare Exclusion Housing Rehabilitation Policy

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A. Purpose:

To provide housing assistance to Tribal members whose household income exceeds the eligibility requirements for other tribal housing rehabilitation programs. Grants shall not exceed \$10,000 and eligible applicants are limited to one grant per person/address/household.

B. How the Program Works:

The Siletz Tribal Housing Department (STHD) will provide an annual notice to Tribal members in the Siletz Newsletter that clearly gives the deadline, including a date and time, for submitting applications. The notice will indicate how many grants will be awarded. STHD will date-stamp all applications immediately upon receipt. Eligible applicants who submit a complete application or before 4:30 p.m. of the published deadline date shall be included in the drawing. Date and location of the drawing will be determined by Tribal Council and announced or published. The General Welfare Exclusion Housing Rehabilitation program runs on a calendar year, September 1 to August 31. All projects are required to be completed or funds are forfeited on September 1 the following year (i.e. grant awarded September 1, 2009 project must be completed August 31, 2010).

1. Accepted applicant must complete and return signed copies of the following forms to the Siletz Tribal Housing Department:
 - a. Letter of Understanding;
 - b. Checklist of Understanding;
 - c. Completion of Work
2. Contractors and subcontractors must complete and return signed copies of the following forms to the Siletz Tribal Housing Department:
 - a. W-9 Form;
 - b. Proposal including scope of work and cost (s)
3. 50% of the grant is available for licensed, insured and bonded contractors to start work.
4. An applicant can request approval to complete their work without the aid of a Contractor but they must provide a materials list and a price quote, along with an explanation of their qualifications and experience, including their ability to obtain proper permits.

5. If it has been determined that the applicant can complete their own project, the applicant shall submit material cost (s) from a supplier and/or proposal from a sub-contractor for a direct payment from STHD. STHD will not pay labor cost to the applicant. The balance will be paid after submittal of original invoices for purchased materials and the submission of the before and after pictures of the work completed.
6. The Housing Director or designee shall have the authority to approve or disapprove an applicant's request to complete his/her own work.
7. All work must comply with local building codes, and proof of permit, if necessary, may be required before initial payment can be made.
8. Homeowners must complete a "Satisfaction of Work Completed" Form before final payment.
9. The Siletz Tribe is not responsible for quality of workmanship, and nothing in this program or policy shall be construed as a waiver of sovereign immunity.

C. General Eligibility Requirements (all must be met):

1. Must be an enrolled Siletz Tribal member, age 18 and over or an emancipated minor to apply. Only one application per person/address/household may be selected.
2. Household must be over the published Income limits for Native American Housing Assistance and Self-Determination Act of 1996 and the U.S. Housing Act of 1937.
3. Except for Indian Health Service Health or Disability Related Modernization Program, applicants must not be current participants in any other Tribal Housing programs within the first five years following the initial date of service including: 1) Down Payment Assistance; 2) NAHASDA Rehabilitation Program; 3) NAHASDA Elders Replacement Program; 4) NAHASDA Rehabilitation Program for Elder Tribal Members; 5) NAHASDA Rehabilitation Program for Disabled Tribal Members; 6) Homeownership Program; 7) BIA Self Governance.
4. Application must be for construction rehabilitation work on primary residence owned by the applicant. No recreation vehicles will be considered as a primary residence.

D. Application Process:

All persons applying for the General Welfare Exclusion Housing Rehabilitation Program must complete an application packet, which is available at the STHD office located at 555 Tolowa Court, Siletz Oregon, or any of the Area Offices of the Siletz Tribe. The application consists of the General Welfare Exclusion Housing Rehabilitation Program application with attachments, including proof of enrollment, proof of homeownership with tribal member's name on it and proof of current annual income for all adult household members eighteen (18) and over. Applications maybe returned to STHD by mail, personally or faxed. The applications will be date/time stamped and a letter will be provided to the applicant with-in 14 days of receiving the application.

E. Fraudulent Applications:

If at any time during the application process, STHD has reasonable cause to believe that the applicant provided false, incomplete, or inaccurate information, STHD will conduct an investigation to determine whether fraud was committed. If STHD determines that fraud likely has been committed, STHD will refer the matter to Tribal, state, and federal authorities and the applicant may be subject to penalties under applicable law.

F. Grievance/Complaint Process:

If you disagree with a Housing decision or action, please do not hesitate to call the Housing staff member whose decision or action concerns you. While informal resolutions encouraged, you still have to comply with the time limits to appeal. You cannot skip a step in the formal process.

1st Step – Review by Housing Director:

If you disagree with a decision or action of the Housing Department, you have the right to file an appeal with the Housing Director within thirty days from the date of the department's action. "Appeal" means any type of dispute with a STHD action or failure to act. Your appeal must be filed within 30 days of any written notification of an adverse action, but if no written decision is completed, then you must appeal within thirty days of the time you learn of the decision. Your appeal must include: 1) an explanation of why you are appealing; 2) all the information, documents, and evidence that you want to have considered; and 3) an explanation of any errors that you believe STHD made.

2nd Step – Review by Housing Committee:

If the Housing Director denies your appeal (or if the initial decision was signed by Housing Director), you have the right to appeal to the Siletz Tribal Housing Committee in writing within 30 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 the Housing Committee sets your appeal for a hearing, you will be notified. It is your responsibility 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. Your appeal must be filed within thirty (30) days of receipt of the decision.

When Housing Committee sends you its decision, it will provide you with an approved form for the Notice of Appeal and “Procedures to Appeal to the Tribal Court from a Final Siletz Tribal Housing Department Administrative Decision,” which includes the rules that you must follow, contained in the Siletz Tribal Court Rules of Procedure, Part VI, Rules for Appeals for Tribal Department Administrative Actions, §3.063.