

**POKAGON BAND OF POTAWATOMI INDIANS
TEMPORARY HOUSING PROGRAMS POLICY**

**ARTICLE 1
PREAMBLE**

1.1 Purpose

(a) The novel coronavirus (“COVID-19”): (1) is a respiratory disease that can result in serious illness or death; (2) is a new strain of coronavirus not previously identified in humans and is easily spread from person-to-person; (3) is a disease for which there is currently no approved vaccine or antiviral treatment; and (4) continues to infect people with fatal results.

(b) HUD has recommended that housing providers take certain action to address, and prevent the introduction and spread of, COVID-19.

(c) To help address, and prevent the introduction and spread of, COVID-19, the Tribal Council has determined that it necessary to adopt the following COVID-19 related Temporary Housing Programs (“Temporary Programs”), as described in this Temporary Housing Programs Policy (“Temporary Policy”):

- (1) Rental or Mortgage Monthly Assistance (“RMMA”);
- (2) Rental or Mortgage One-Time Assistance (“RMOTA”);
- (3) One-Time Home Disinfectant Professional Assistance (“OTHDPA”); and
- (4) One-Time Home Disinfectant Supply Assistance (“OTHDSA”).

1.2 Scope

(a) The Temporary Programs shall be governed by this Policy and the Eligibility, Admission and Occupancy Policy for All Programs (“All Programs Policy”), but the following provisions of the All Programs Policy shall not apply to the Temporary Programs:

- (1) Subsection 3.4(a) (ineligibility - eviction within 5 years);
- (2) Subsection 3.4(b) (ineligibility - abandoned within 5 years);
- (3) Subsection 5.2(a) (insurance);
- (4) Subsection 5.3 (tax compliance);
- (5) Section 5.5 (delinquent debt); and
- (6) any corresponding provision set forth in any other Article of the All Programs Policy.

(b) Except as otherwise stated in this Policy, capitalized terms shall be as defined in the All Programs Policy.

1.3 Duration

(a) The Temporary Programs shall automatically expire on July 31, 2020, unless extended by the Tribal Council.

(b) The Temporary Programs shall be subject to available funding. The Band retains the right, at any time and without prior notice, to discontinue one (1) or more of the Temporary Programs and to amend this Temporary Policy.

ARTICLE 2 RENTAL OR MORTGAGE MONTHLY ASSISTANCE

2.1 Purpose

The purpose of the RMMA is to provide qualified Applicants with emergency assistance to assist in preventing eviction or foreclosure.

2.2 Eligibility

(a) To be eligible for the RMMA:

- (1) The Applicant must be at least eighteen (18) years of age or emancipated by operation of law or court with the legal capacity to contract;
- (2) The Applicant must be a Citizen;
- (3) The Applicant must have been furloughed / laid off (including a self-employed individual) or experienced at least a twenty percent (20%) reduction in wages in connection with COVID-19;
- (4) The Applicant must meet Low Income Household requirements on the effective date of the Assistance Agreement;
- (5) The Applicant must be listed as a tenant under the lease or borrower under the mortgage;
- (6) The Applicant must not be eligible for any mortgage deferral option (repayment plan, loan modification, partial claim, etc.) through the lender;
- (7) The Applicant must provide all documents required by the Department of Housing, including satisfactory proof of:
 - (i) status as a Citizen, such as copy of Band enrollment card;

(ii) prior employment, such as check stubs; and

(iii) existing lease or mortgage, such as a copy of the executed lease or mortgage statement;
and

(8) The Applicant must enter into all agreements required by the Department of Housing to participate in the RMMA, including an Assistance Agreement; and

(9) The Applicant must fully cooperate with the Department of Housing's efforts to confirm the Applicant's eligibility for the RMMA.

(b) No more than one (1) Household member may receive assistance under the RMMA at the same time, regardless of whether more than one (1) Household member is eligible for the RMMA.

2.3 Amount

(a) A Participant may receive up to \$500 per month in assistance under the RMMA.

(b) Assistance under the RMMA will be paid directly to the Participant.

2.4 Requirements

(a) A Participant must use the assistance under the RMMA solely for the purpose stated in this Temporary Policy.

(b) A Participant must immediately notify the Department of Housing upon the occurrence of any event after the date of application that may affect eligibility for the RMMA.

2.5 Limitations

The RMMA cannot be used concurrently with the:

(a) Rental Assistance Program under Article 6 of the All Programs Policy; or

(b) Any student rental assistance program offered through the Band Department of Education.

ARTICLE 3 RENTAL OR MORTGAGE ONE-TIME ASSISTANCE

3.1 Purpose

The purpose of the RMOTA is to provide qualified Applicants with emergency assistance to assist in preventing eviction or foreclosure or with payment of an emergency housing need, such as HVAC or safety repair, or home medical care.

3.2 Eligibility

(a) To be eligible for the RMOTA:

- (1) The Applicant must be at least eighteen (18) years of age or emancipated by operation of law or court with the legal capacity to contract;
- (2) The Applicant must be a Citizen;
- (3) The Applicant must have been furloughed / laid off (including a self-employed individual) or experienced at least a twenty percent (20%) reduction in wages in connection with COVID-19;
- (4) The Applicant must meet Low Income Household requirements on the effective date of the Assistance Agreement;
- (5) The Applicant must be listed as a tenant under the lease or borrower under the mortgage;
- (6) The Applicant must not have received assistance under the Emergency Assistance Program under Article 13 of the All Programs Policy within thirty (30) days of the date of application under the RMOTA.
- (7) The Applicant must provide all documents required by the Department of Housing, including satisfactory proof of:
 - (i) status as a Citizen, such as copy of Band enrollment card
 - (ii) prior employment, such as check stubs; and
 - (iii) existing lease or mortgage, such as a copy of the executed lease or mortgage statement; and
- (8) The Applicant must enter into all agreements required by the Department of Housing to participate in the RMOTA, including an Assistance Agreement; and
- (9) The Applicant must fully cooperate with the Department of Housing's efforts to confirm the Applicant's eligibility for the RMOTA.

(b) No more than one (1) Household member may receive assistance under the RMOTA, regardless of whether more than one (1) Household member is eligible for the RMOTA.

3.3 Amount

(a) A Participant may receive up to \$1,500 in one-time assistance under the RMOTA.

(b) Assistance under the RMOTA will be paid directly to the Participant.

3.4 Requirements

(a) A Participant must use the assistance under the RMOTA solely for the purpose(s) stated in this Temporary Policy.

(b) A Participant must immediately notify the Department of Housing upon the occurrence of any event between the date of application and one-time payment under the RMOTA that may affect eligibility for the RMOTA.

3.5 Limitations.

The RMOTA cannot be used concurrently with the Emergency Assistance Program under Article 13 of the All Programs Policy, but receipt of the one-time payment under the RMOTA shall not disqualify the Participant from participation in the Emergency Assistance Program under Article 13 of the All Programs Policy.

ARTICLE 4 ONE-TIME HOME DISINFECTANT PROFESSIONAL ASSISTANCE

4.1 Purpose

The purpose of the OTHDPA is to provide qualified Applicants with emergency assistance to assist with professional sanitization of a home after:

- (a) one (1) or more household members recover from COVID-19; and
- (b) all household members have tested negative for COVID-19.

4.2 Eligibility

(a) To be eligible for the OTHDPA:

- (1) The Applicant must be at least eighteen (18) years of age or emancipated by operation of law or court with the legal capacity to contract;
- (2) The Applicant must be a Citizen;
- (3) The Applicant must meet Low Income Household requirements on the date of Application;
- (4) The Applicant must provide all documents required by the Department of Housing, including satisfactory proof of:
 - (i) status as a Citizen, such as copy of Band enrollment card; and
 - (ii) an invoice or quote from the vendor; and

(5) The Applicant must fully cooperate with the Department of Housing's efforts to confirm the Applicant's eligibility for the OTHDPA.

(b) No more than one (1) Household member may receive assistance under the OTHDPA, regardless of whether more than one (1) Household member is eligible for the OTHDPA.

4.3 Amount

(a) A Participant may receive up to \$2,500 in one-time assistance under the OTHDPA.

(b) Assistance under the OTHDPA will be paid directly to the vendor.

(c) Notwithstanding Subsection 5.10(a) of the All Programs Policy, an Assistance Agreement is not required under the OTHDPA because payment is made directly to the vendor.

ARTICLE 5 ONE-TIME HOME DISINFECTANT SUPPLY ASSISTANCE

5.1 Purpose

The purpose of the OTHDSA is to provide qualified Applicants with emergency assistance to reimburse for household cleaning supplies, such as sanitizers, soap, masks, and gloves.

5.2 Eligibility

(a) To be eligible for the OTHDSA:

(1) The Applicant must be at least eighteen (18) years of age or emancipated by operation of law or court with the legal capacity to contract;

(2) The Applicant must be a Citizen;

(3) The Applicant must meet Low Income Household requirements on the date of Application;

(4) The Applicant must provide all documents required by the Department of Housing, including satisfactory proof of:

(i) status as a Citizen, such as copy of Band enrollment card; and

(ii) one (1) or more cash register receipts dated not more than fourteen (14) days prior the Application date; and

(5) The Applicant must fully cooperate with the Department of Housing's efforts to confirm the Applicant's eligibility for the OTHDSA.

(b) No more than one (1) Household member may receive assistance under the OTHDSA, regardless of whether more than one (1) Household member is eligible for the OTHDSA.

5.3 Amount

(a) A Participant may receive up to \$250 in one-time assistance under the OTHDSA.

(b) Assistance under the OTHDSA will be paid directly to the Participant.

(c) Notwithstanding Subsection 5.10(a) of the All Programs Policy, an Assistance Agreement is not required under the OTHDSA because payment is made on a reimbursement basis.

ARTICLE 6 GENERAL PROVISIONS

6.1 Severability

If any provision of this Temporary Policy is held to be partially or wholly invalid or unenforceable for any reason whatsoever, such holding shall not affect, alter, modify or impair any remaining portion of such provision or any other provision of this Temporary Policy.

6.2 Conflicts

(a) This Temporary Policy is intended to be interpreted in a manner consistent with applicable law, including Band law. If any provision of this Temporary Policy conflicts with applicable law, then such applicable law shall control.

(b) If any provision of any Assistance Agreement required under this Temporary Policy conflicts with this Temporary Policy, then this Temporary Policy shall control.

6.3 Distribution

The Department of Housing shall cause this Temporary Policy, and any amendments to this Temporary Policy, to be disseminated in the Band community and made available to all Participants.