

## **Pokagon Band Housing Policies Frequently Asked Questions**

### **1) If I, a Pokagon citizen lessee were to pass, can my non-citizen spouse stay?**

**-Rental Units-** *Spouses are able to stay until the term ends of the current 1 year lease, plus any applicable one year renewal period.*

*If it is a household with Citizen children the spouse and children are able to stay until the youngest Citizen child is 18 years old.*

**-Home Owners with a Land Lease-**

*Spouses are able to remain living on leased Pokagon Band land for a period not exceeding twenty-five (25) years commencing on the date of the Citizen's death;*

*Please note: The Band may terminate the Leasehold Estate with at least ninety (90) days prior written notice, if:*

*(A) the Surviving Non-Citizen Spouse does not reside at the leased Premises at any time after the date of the Citizen Spouse's death;  
or*

*(B) the Surviving Non-Citizen Spouse marries a Non-Citizen at any time, and no Surviving Citizen Child resides at the leased Premises.*

### **2) What will the Housing Department do to help transition my non-citizen spouse out of the rental unit after my passing?**

- a) Help them to identify suitable alternative housing options prior to the end of the lease period.*
- b) Help them negotiate a lease at an alternative housing source.*
- c) Research and identify outside agencies for social services and/or other assistance.*
- d) Conduct periodic wellness checks to ensure well-being of remaining family members while living in Band housing.*
- e) Immediately Recalculate Household Income to possibly lower rent amount for the remainder of the lease period.*

### **3) Am I able to have non service animal pets in my rental unit?**

*If you are an Elder going into Elder housing or a Lease-to-Own resident, you may have approved pets per the Housing Policy. Any other units, pets are not allowed.*

**4) If I have a Criminal background am I able to live in Pokagon Band housing or on Band land?**

*Background checks are done on every resident age 13 years and older. Housing does not decide who is eligible to live in the villages. Tribal Police make the decision according to the Band policies which state (the following was cut and pasted from the Housing Act):*

*(j) —Criminal History means any conviction in federal, state, or tribal court as follows:*

*(1) Any Violent Criminal Activity, regardless of location, within ten (10) years of the date of application;*

*(2) Any Drug-related Criminal Activity, regardless of location, within seven 7 years of the date of application; or*

*(3) Any Criminal Sexual Conduct, regardless of location, at any time.*

*(k) —Criminal Sexual Conduct means any criminal sexual offense defined as a felony in the laws of the state in which the offense was committed, or any act which constitutes a —sex offense pursuant to the Band’s Sex Offender Registration Code.*

**5) Am I able to have visitors?**

*Visitors are allowed for up to 14 days, after that time they will need to be added to your lease. The person will need to go through a background check and the household income will be re-calculated.*

**6) Am I able to smoke in my rental unit?**

*There is no smoking of any kind allowed inside of any Band owned rental unit.*

**7) Am I “qualified” for a rental unit once placed on the waiting list?**

*No, you will go through the qualification process when your name comes up for an available rental unit.*

**8) How does the waiting list work?**

*Your waiting list status is based on a point system, which is attached to the application. It is not a first come first serve basis - unless you have equal points to another applicant.*

**9) Can I use the Homeless Prevention Program to move into a Pokagon Band owned rental unit in the tribal village?**

*Unfortunately, no. Due to HUD funding restrictions, you are not allowed to use HUD funded program monies to move into a HUD funded rental unit – it is essentially considered double dipping by the federal government.*

**10) I have a Recreation Vehicle, can I park this in my driveway or parking spot?**

*Due to the space this type of vehicle will take up, we ask that you do not park these in your driveway or parking spot. The Housing Department offers gated parking for a reasonable rate nearby.*

**11) While visiting where can my visitors park?**

*There is visitor parking available in different areas of the village, please do not park in other residents parking spaces.*

**12) Will my rent change after I move in?**

*Yes, annual adjustments to maximum monthly rent is based on annual adjustment factors established by HUD based on Consumer Price Index (CPI) data relating to changes in residential rent and utility costs for our region of the country. Your rent could also change if your household income changes at any time during your stay.*

*You may expect your rent to increase or decrease slightly each year based on your household income and slight annual CPI adjustments. Your Housing Specialist will be glad to go over various rental change scenarios you may face.*

**13) Why do monthly rental statements reflect varying amounts month to month?**

- a) You may have incurred late fees from previous months which are added to your amount due.*
- b) You may have an outstanding rent balance due from paying a partial amount due in a previous month.*
- c) There may have been a change in your household income which raised or lowered your monthly rent amount.*
- d) There may have been an Annual increase or decrease due to the HUD Consumer Price Index adjustment.*
- e) You may have added fees due as a result of tenant caused damage/repairs, NSF fees, or maintenance work you requested.*
- f) You may have recently rented a self-storage unit which is now included in your monthly rental statement.*

**14) How are my monthly payments applied to my account?**

*First, to satisfy unpaid late charges, NSF check fees, and other fees owed by Tenant; second, to satisfy maintenance and repair costs chargeable to Tenant; third, to satisfy outstanding utility bills and other amounts that are the responsibility of Tenant; and fourth, to satisfy rent.*

**15) Under what circumstances will I have to pay for damages to my unit?**

*If it is determined to be the fault of the Renters household or visitors, reasonable charges will be applied.*

**16) What is the process for lodging a complaint against the Housing Department and/or a Housing Department employee?**

- 1) Speak directly with your Housing Specialist for clarification. Most issues are due to a simple misunderstanding or miscommunication. Seek out the facts before reaching conclusions.*
- 2) If not satisfied, speak directly with the Housing Director. The Housing Director is committed to doing everything possible to correct the situation.*
- 3) If not satisfied, speak with the Pokagon Band Government Manager. The Government Manager is committed to holding all Government employees and departments accountable to the highest standards of customer service.*
- 4) If not satisfied, file a formal grievance. Forms may be found at any of the Tribe's Departments or on the Tribe's website. The Housing Board/Tribal Council takes all formal grievances very seriously and will follow up. However, their first question will be; have you pursued this complaint through the Chain of Command before coming to us? Most issues are resolved satisfactorily before reaching the formal grievance stage.*

**17) Who or what drives housing policies?**

*NAHASDA (Native American Housing and Self Determination Act) regulates how Native American Tribes manage tribal housing. All PBOPI housing related laws, acts, codes, and policies are written by Tribal Attorneys and are reviewed and approved by Tribal Council, to ensure strict grant funding compliance with NAHASDA/HUD, Bureau of Indian Affairs, Tribal Constitution, and other governing requirements.*

*The Housing Department is regularly audited by HUD auditors. Auditors look through our files to ensure housing programs are being managed properly. If they find significant deficiencies they can cease funding to Pokagon Band, essentially shutting down our housing programs. The last HUD audit was conducted in 2012. Most housing policies are not optional for the Band nor are they at our discretion to change, they are federally mandated.*

**18) What is the process to have a policy changed?**

*Many policies cannot be changed easily due to NAHASDA regulations however we are always seeking ways to better serve our residents. Please contact the Housing Director to discuss your thoughts and ideas on policy changes. The Housing Director will research possible options, discuss with the Government Manager who may in turn discuss changes with Tribal Council. If leaders are in agreement to seek a policy change, we will then petition HUD officials for approval to change a policy. Anything is possible!*

*From time to time HUD and BIA officials reach out to Tribe's for input on policy changes. We will be happy to share your ideas with federal officials whenever the opportunity presents itself.*

**19) Who can I talk to for further clarification of Housing Policies?**

*Please call for an appointment and a Housing Specialist or the Housing Director will be happy to make themselves available to answer any questions and clarify any policies or procedures for you. We always have a fresh pot of coffee on and we welcome interaction with you, our friends and neighbors!*