



# NORTHERN PONCA HOUSING AUTHORITY

## ADMISSIONS POLICY

### GENERAL PURPOSE:

The mission of the Northern Ponca Housing Authority (NPHA) is to provide sustainable housing, homeownership and community development services to members of the Ponca Tribe of Nebraska and other eligible Native Americans.

### APPLICABILITY:

This policy is applicable to the waiting list process for the Low-Rent and Tax Credit Programs.

### Table of Contents

**Section 1 – Policy for Eligibility for Low-Income Housing: Page 1**

**Section 2 – Policy for Selection Procedure: Page 5**

**Section 3 – Security Deposit: Page 6**

**Section 4 – Policy for Occupancy Standards: Page 6**

### Section I – Policy for Eligibility for Low-Income Housing

#### Section I-A - Eligibility

To be eligible to be placed on NPHA's waiting list the applicant must meet all of the following eligibility criterion:

- A. Meet the family composition criterion as defined in 24 CFR Part 1000.104 and Section 201(b) of NAHASDA.
- B. Qualify as a family, defined by NPHA as:
  1. Parent(s) & child(ren)
  2. Married/domestic partner
  3. One single person = 19 years or older
  4. Grandparents & Grandchildren
- C. Qualify as a Native American family defined by NPHA as a family whose head of household is an enrolled member of a federally-recognized tribe as published annually in the Federal Register under "Indian Entities Recognized and Eligible to Receive Services From the United States Bureau of Indian Affairs."
- D. Have an annual household income that is at or below 80% of the HUD median income for the county or the federal rate, whichever is higher. Income limits are adjusted for family size and updated on an annual basis by HUD. Applicants must have a minimum gross adjusted annual income of \$8,000. Compositions where all adults are considered elderly and/or disabled must have a minimum gross adjusted annual income of \$5,000. If an applicant has no or insufficient income at the time of a potential unit award, NPHA will skip the applicant and move on to the next applicant on the list. NPHA will use the income method (Section 8, IRS, Census) that is most beneficial for the applicant. For information regarding income inclusions, exclusions, deductions, and the rent calculation, please reference the NPHA Low-Income Lease Agreement.

### **Section I-B – Application Process for Low-Income Housing**

- A. Applicants applying for the rental housing program must submit an application to NPHA.
  - 1. Applicants may apply for both low-income and tax credit programs.
  - 2. It is required that each applicant provides all information requested on the application and signs all necessary forms. Providing false or misleading information shall constitute a violation of these policies and will be grounds for denial or termination of the tenant's lease, if discovered at a later date.
  - 3. All information or any statements made by the applicant are subject to verification.
- B. Completed applications may be mailed, faxed, e-mailed or delivered to the NPHA office located at 1501 West Michigan Avenue, Norfolk, NE 68701; or completed online at [www.poncahousing.org](http://www.poncahousing.org).
  - 1. All physical applications must be completed and signed using permanent ink.
  - 2. Immediately upon receipt, the application will be date stamped and initialed by NPHA staff.
    - a. Once the application is complete, it will be date and time stamped.
- C. It is the applicant's responsibility to notify NPHA of any changes.

### **Section I-C – Criterion to Qualify for the Low-Income Housing Waiting List**

Applicants must have the following positive criterion in order to be considered a qualified candidate to be placed on the NPHA waiting list:

- A. Income verification (via tax return, check stub, TANF statement, etc.)
- B. Tribal enrollment/Certificate of Blood
- C. Social Security Cards for all household members
- D. Legal guardianship documents for all dependents (i.e. birth certificates, legal power of attorney, foster care, etc.)

### **Section I-D – Reasons for Applicant Rejection**

NPHA has the right to reject applicants based on the application criterion, or proof that admission of the applicant would be damaging to the health, safety or welfare of other tenants, or the financial stability or physical environment of the property. Failure to properly report any of the below is grounds for termination of the tenant's lease, if discovered at a later date.

- A. An application may be rejected due to:
  - 1. The applicant's past performance in meeting obligations.
  - 2. NPHA documented and/or police records of disturbances of neighbors, destruction of property, or living habits which may be damaging to the health, safety or welfare of other tenants. NPHA reserves the right to deny applicants based on any unfavorable performance in accordance with the NPHA Lease and policies, within NPHA units, regardless if an outstanding balance has been paid off.
  - 3. Inability to show proof of income sufficient to comply with program requirements (employer, state, county and federal benefits) including ability to pay rent, user fees, utilities, maintenance charges or otherwise.
  - 4. A criminal history that shows behavior that would be detrimental to the program if the applicant(s) was/were allowed into the program.

5. NPHA reserves the right to deny any applicant or potential applicant who threatens, harasses, and/or intimidates any NPHA employee, tenant, guest, and/or agent.
  6. Someone on the composition owning property that contains adequate, safe and sanitary housing.
  7. Failure to recertify income and family composition by October 1 of each year.
- B. General Policies for Authority Applicants for Housing with Conviction Records
1. NPHA shall provide a housing application that includes information that explains NPHA's procedures and policies with regard to background checks, the applicant's right to review and explain/contest the information contained in the background check, and the applicant's right to show rehabilitative evidence.
  2. NPHA shall consider all applicants, including those with conviction records, for inclusion in all housing facilities.
  3. NPHA shall perform background checks, third-party income, and third-party reference (landlord preferred) checks on all applicants 18 years or older within the composition before offering a unit to the applicant; this offer will be cancelled should unfavorable results be found.
  4. NPHA will take into account conviction histories, but will not consider arrests or other unproven allegations, in considering the suitability of a potential resident.
  5. NPHA shall consider both the desire for all residents to live in a safe and secure environment and the community's need to provide housing for all individuals, including individuals with conviction records, in making this consideration.
  6. NPHA shall consider the following criterion in each case:
    - a. Whether the potential resident's offense bears a relationship to the safety and security of other residents;
    - b. The degree of violence, if any, of the offense for which potential resident was convicted;
    - c. Length of time that has lapsed since the conviction and the date of the NPHA application;
    - d. The number of convictions that appear on the potential resident's conviction history;
    - e. If the potential resident is now in recovery for an addiction, whether the potential resident was under the influence of alcohol or illegal drugs at the time of the offense;
    - f. Any rehabilitation efforts that the potential resident has undertaken since the time of his/her conviction, incarceration.
  7. Failure to disclose a criminal history to NPHA on the application may constitute a violation of these policies and the application will be rejected.

8. Applicants with a felony conviction will be declined, however; they may appeal to the Board of Commissioners (BOC) within 10 business days of receiving notice of the declination.
- C. Record-keeping Requirements for Applicants
1. NPHA shall maintain records of all housing applicants for at least two years, but will keep all documentation received for a longer period of time if they remain on the waiting list after two years. If the applicant is awarded a unit the pre-award documentation shall be incorporated into the tenant's file.
  2. The decision-making and record-keeping process shall be uniform and fair to all applicants.
  3. All applicants will be given an opportunity to review and explain any conviction record to NPHA during the applicant's appeal to the BOC, should they be declined for an award letter for any reason.
  4. If the applicant is a person with a conviction record, NPHA shall create a written statement of its analysis of the person's record in accordance with this section.
  5. The records shall include:
    - a. A copy of the original application;
    - b. A copy of the document provided to the applicant explaining his/her rights and confirmation that the applicant received this material;
    - c. The written statement created by NPHA detailing its analysis and decision.
  6. If the application is denied, NPHA shall provide to the potential resident:
    - a. An explanation of the denial of housing including proof of any criminal conviction used to prohibit admission, if any; and
    - b. Information about applicant's right to appeal the decision.
  7. In the event of the receipt of unfavorable information about an applicant, consideration will be given to documents or other supporting information submitted by the applicant, which might show a reasonable chance of favorable future behavior or financial prospects, such as:
    - a. Evidence of the applicant family's willingness to participate in social service or other appropriate counseling programs.
    - b. Evidence of the applicant and family's attempt to increase family income and the availability of training or employment programs in the locality.
    - c. Or any other evidence that would support the applicant's justification.
  8. Applicants rejected for housing will be notified in writing within 45 days of receipt of the complete application and of their right to appeal the determination.
    - a. Applicants will be informed in writing of the reasons for ineligibility and will be given an opportunity to appeal the decision within 10 business days from the date of receipt of notice.

- b. Any appeal regarding application denials will be submitted to NPHA's Executive Director and will be determined by the NPHA BOC.
9. Applicants who have been declined through the waiting list and/or the BOC must wait at least six months before applying again.

#### **Section I-E – Maintenance of the Waiting List**

- A. NPHA shall maintain one waiting list for all districts by bedroom size with district preference noted that includes applicants for both the low income and tax credit programs. Each applicant will be listed by the date and time that their application received final approval.
- B. All complete applications will be filed in the waiting list filing system.
- C. The waiting list is maintained according to the date of completed application, according to bedroom size, family size, and total preference points.
- D. Determination of the number of bedrooms required by an applicant shall be made according to the occupancy standards as listed in Section VI-A.
- E. All applicants are required to update their application annually. NPHA will attempt to annually re-certify the applicant's income and composition information via telephone, if this fails, a regular letter will be sent out requesting re-certification information. If a waiting list applicant does not submit all necessary information by October 1<sup>st</sup> of each year, they shall be considered inactive and their name will be removed from the waiting list.
- F. If an applicant's name has been removed from the waiting list, they will be required to start a new application process to be considered for housing.
- G. Information in regards to the current waiting list can be obtained by contacting the Admissions and Occupancy Department of NPHA.

#### **Section I-F – Notification of Applicants for Low Income Housing**

- A. Eligible Applicants
  1. Each applicant determined to be eligible will be promptly notified in writing of eligibility, but no later than 45 days from the date of the completed application.
  2. NPHA shall keep a copy of this notification in the file.

#### **Section II – Policy for Selection Procedure**

##### **Section II-A – Preference Points for Waiting List:**

- A. Waiting lists will be maintained chronologically in accordance with selection preference points. Eligibility preference points are allocated based on the head of household and are as follows:
  1. Northern Ponca member age 19 and above – 20 points
  2. Northern Ponca member with nucleus unit (as defined below) – 30 points
  3. Elder (age 62 and above) – 6 points
  4. Near elder (age 55-61) – 3 points
  5. Disabled – 6 points
  6. Homeless – 3 points
  7. Non-Ponca Tribe of Nebraska nucleus family – 5 points
  8. Currently paying 50% of gross adjusted monthly income for rent – 1 point
  9. Completed application – 1 point
  10. Honorably or Under Honorable Condition-discharged veteran of a branch of the United States Military (Army, Navy, Air Force, Marines, National Guard, etc.) – 8 points

11. Domestic violence situation, with verification – 3 points
- B. Unit award preference points. Preference will be given to nucleus families. A nucleus family is defined as a father, mother & child(ren); a mother & child(ren), a father & child(ren), grandparent & grandchild(ren). Children who are 19 years of age or older will not qualify for the “child or grandchild” designation of this policy.
- C. Unborn children shall not be included on the composition.

**Section II-B – Definition of Units for Low Income Housing:**

- A. Units are defined as follows:
  1. Nucleus family = 1 unit
  2. Married/domestic partner couple = 1 unit
  3. One single person = 19 years or older = 1 unit
  4. Foster child(ren) = 1 unit

**Section II-C – Notification of Selected Families for Low Income Housing:**

- A. NPHA will send an award letter to each applicant selected for occupancy. The notice shall include the following statements:
  1. The family has 14 days in which to respond to the award letter either by accepting or rejecting the unit offered.
  2. Applicant failure to respond within 14 days shall be regarded as a rejection of the offer.
  3. The head of household will be required to participate in a mandatory occupancy orientation & move-in inspection prior to moving into the unit.
  4. The tenant shall have 45 days from the date of the award letter to move into the unit. Prior to move-in all necessary paperwork will be reviewed & signed by NPHA and the tenants.
  5. The tenant has sole responsibility to have the utilities recorded in their name. The tenant will not be permitted to occupy the premises until NPHA receives 3<sup>rd</sup> party verification from the utility company.
  6. Rejecting an offer will not jeopardize an applicant’s position on the waiting list.

**Section III-A – Security Deposit**

- A. The required security deposit of \$300 is due prior to occupancy unless NPHA has received notice from a service provider that they are going to pay the deposit for the tenant, exceptions may be made for elderly or disabled compositions, but not to exceed three months from move-in.
- B. The security deposit will be deposited to an appropriate account and will not be used except when the tenant vacates the unit and leaves with unpaid charges and/or if maintenance charges will be charged on the account.

**Section IV – Policy for Occupancy Standards**

**Section IV-A – Bedroom Accommodations Per Family Unit**

- A. The following standards will determine the number of bedrooms required to accommodate a family of a given size:

Number of Bedrooms	Minimum Number of People	Maximum Number of People
1	1	2
2	1	4
3	3	6
4	4	8
5	5	10

- B. In determining the number of bedrooms needed, NPHA will give consideration to sex, age, and health needs of family members, exceptions to the minimum/maximum number of people required may be made if NPHA has no eligible families to place in the unit.
- C. Applicants that would appear on a one-bedroom list will also be placed on the two-bedroom waiting list.
- D. NPHA reserves the right to move an applicant from their current bedroom size to a smaller or greater bedroom size.
- E. Units on Ponca Tribe of Nebraska trust land will only be available to families who have a Ponca Tribe of Nebraska-enrolled head of household.