



# Northern Ponca Housing Authority Tenant-Based Rental Assistance Policy

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## **I. Program Description**

The Northern Ponca Housing Authority (NPHA) Tenant-Based Rental Assistance Program (TBRAP) is designed to assist tribal members, who do not live in an NPHA unit in paying their monthly rental payment.

## **II. Eligibility**

In order to qualify for TBRAP funding, the following criteria shall be required:

- A. Head of household must be at least 19 years of age at the time of application, and an enrolled member in a federally-recognized Native American tribe.
  1. For the purposes of this policy, the head of household shall be referred to as “applicant.”
- B. The entire composition’s adjusted gross income must be at or below 80% of either the county or federal HUD income guidelines, whichever is higher, at all times.
  1. NPHA shall utilize whichever income method (Section 8, IRS, or Census) that benefits the applicant the most.
  2. For income inclusions and exclusions, please see the NPHA Admissions & Occupancy Handbook.
  3. 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 award, NPHA will skip the applicant and move on to the next applicant on the list.
- C. Assistance will only be provided for units located within the Nebraska counties of Boyd, Burt, Douglas, Hall, Holt, Knox, Platte, Lancaster, Madison, Stanton, Sarpy, and Wayne; the Iowa counties of Pottawattamie and Woodbury; and the South Dakota county of Charles Mix.
- D. The premises must satisfy NPHA’s inspection prior to assistance award
- E. Applicants who owe NPHA money must repay that balance before being eligible to apply for TBRAP funding.

## **III. Waiting List**

The TBRAP assistance is awarded via a waiting list, ranked by the date the entire application is received and a system of preference points. The preference points are based on the following criteria:

- A. Northern Ponca member age 19 and above – 20 points
- B. Northern Ponca member with nucleus unit (A nucleus family is defined as a father, mother & child(ren): a mother & child(ren), a father & child(ren), grandparent & grandchildren) – 30 points
- C. Elder (age 62 and above) - 6 points
- D. Near elder (age 55-61) - 3 points
- E. Disabled – 6 points
- F. Homeless – 2 points
- G. Non-Ponca Tribe of Nebraska nucleus family – 5 points
- H. Currently Paying 50% of gross monthly income for rent – 1 point
- I. Completed TBRAP Application – 1 point
- J. Currently on NPHA’s Low-Rent Housing Program – 1 point

- K. Veteran of a branch of the United States Military (Army, Navy, Air Force, Marines, National Guard, etc.), who's service ended with an "honorable discharge" or "Under Honorable Conditions" - 8 points

#### **IV. Amount of Assistance**

- A. The amount of assistance is limited to subsidizing the tenant's rent such that they don't pay more than 20% of their gross adjusted income for rent per month for a period not to exceed 12 months.
  - 1. The monthly rent charged shall not be more than 10% higher than HUD's Fair Market Rent Rate which is published annually.
    - a. Exceptions may be made to this rule by the Secretary of HUD.
  - 2. An award may be shorter than 12 months depending on the nature of the lease agreement.
  - 3. In the event that there is a rent increase, NPHA must receive a copy of the new lease agreement and/or lease agreement amendment 30 days prior to its effect in order to adjust the award to match the new rental amount; pending funding availability and program eligibility.
  - 4. Tenants who have an award may reapply for another award within two months of the expiration of their current award.

#### **V. Certification Requirements**

- A. Applicant must provide Social Security Card, birth certificate, tribal enrollment identification, and proof of military status (where applicable).
- B. Applicant must fill out the TBRAP Application Form, along with the Release of Information Form.
- C. Applicant must re-certify their composition and income:
  - 1. Within 10 days of income and/or composition changes.
  - 2. By the annual anniversary date the initial completed application was received.
- D. Applicant must provide a copy of the current lease agreement.
  - 1. NPHA has no liability in the lease agreement, this is strictly to confirm the residency.

#### **VI. Tenant Obligations**

- A. To maintain the unit in a safe and sanitary condition.
- B. To pay tenant's remaining share of rent to landlord by the date specified in the lease agreement.
- C. To consistently pay for and maintain all applicable utilities that are the tenant's responsibility per the signed lease agreement with the landlord.
- D. To notify NPHA immediately of any change in family composition and/or income.
- E. To notify NPHA in writing at least 30 days prior to vacating the unit.
  - 1. NPHA must be immediately notified if a lease cancellation notice is received by the tenant.

#### **VII. Landlord Obligations**

- A. To maintain the unit in a safe and sanitary condition to the extent feasible as a landlord.
- B. To inform NPHA immediately if the tenant's lease is cancelled.

## **VIII. NPHA Obligations**

- A. To pay the allocated assistance each month prior to the rent payment due date as listed in the lease agreement.
- B. To inspect the unit prior to award to ensure it meets NPHA & HUD's housing standards.
  - 1. Additional inspections may be conducted by NPHA at NPHA's sole discretion.
  - 2. NPHA reserves the right to deny assistance if one of its agents and/or assigns is prevented from carrying out an inspection.
  - 3. NPHA's inspection will ensure the criteria listed in 24 CFR 982 and Chapter 10 of HUD's Housing Choice Voucher Program Guidebook are met.
    - a. Namely, 13 key aspects of housing quality:
      - 1. Sanitary facilities;
      - 2. Food preparation and refuse disposal;
      - 3. Space & security;
      - 4. Thermal environment
      - 5. Illumination & electricity
      - 6. Structure & materials
      - 7. Interior air quality
      - 8. Water supply
      - 9. Lead-based paint
      - 10. Access
      - 11. Site & neighborhood
      - 12. Sanitary condition; and
      - 13. Smoke Detectors
- C. To ensure applicant and participant eligibility in the program by conducting certifications & re-certifications annually.
- D. To notify landlord and tenant if the assistance has run out and/or ceased for any reason.

## **IX. Restrictions**

A violation of anything below is grounds for the TBRAP funding to be denied, the composition shall not:

- A. Be related to the landlord or have any interest in the property.
- B. Violate any provisions in the lease agreement or this policy.
- C. Participate in any kind of illegal drug activity and/or violent criminal activity.
- D. Sublease or lease the unit to anyone else not on the composition.
- E. Receive any other kind of housing payment, assistance, and/or subsidy from any local, state or federal housing program.
- F. Commit fraud, bribery or any other corrupt criminal act.
- G. Damage the unit or premises (other than normal wear and tear), or permit any guest to do the same.
- H. Commit misrepresentations of income, family composition, etc.
- I. Should the tenant have their lease cancelled due to their failure to properly comply with their lease agreement and/or this policy, the funding shall cease immediately.

## **X. Funding Availability**

In the event this program's funds have been exhausted, funding shall cease immediately.

## **XI. Definitions**

**Adjusted Gross Income:** The annual income of the composition after the deductions have been subtracted.

**Composition:** Everyone who lives in the unit as their primary residence and has been reported to NPHA and the landlord.