

# **SALISH AND KOOTENAI HOUSING AUTHORITY**

## **ELIGIBILITY & ADMISSIONS POLICY Morning Star Apartments Tenant Based Assistance Program**

**This Eligibility & Admissions Policy for the Morning Star Apartments Tenant Based Assistance Program was adopted by the Salish and Kootenai Housing Authority Board of Commissioners on the 2<sup>nd</sup> day of February 2021.**

**Update to 2.5 Formula for Determining Assistance amount changed to 15% from 30% approved by the Board of Commissioners on the 7<sup>th</sup> day of June 2022.**

# **Eligibility & Admissions Policy Morning Star Apartments Tenant Based Assistance Program**

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# **SECTION 1**

## **POLICY STATEMENT**

The Board of Commissioners (The Board) of the Salish and Kootenai Housing Authority (Housing Authority) recognizes that it is necessary to adopt the Eligibility & Admissions Policy for the Morning Star Apartments Tenant Based Assistance Program. It applies to all those who apply for the permanent supportive housing program.

The Morning Star Apartments, located at 18 Main St. SW, Ronan, Montana, were purchased by the Confederated Salish and Kootenai Tribes (CSKT) to house individuals who have a history of homelessness or who are at risk of becoming homeless or contracting COVID-19 and will benefit from supportive services. Homelessness has been an ongoing issue on the Flathead Indian Reservation and has been brought to the forefront by the COVID-19 pandemic.

Fourteen (14) Tenant Based Assistance (TBA) vouchers will be set aside for those who occupy the Morning Star Apartments. This program will supplement existing Housing Authority housing stock by utilizing community housing inventory meeting the Housing Authority's standards and payment policies. The CSKT Tribal Defenders Office will determine who will be offered the TBA slot and Housing Authority staff will determine eligibility for the TBA slot at the Morning Star Apartments.

# SECTION 2

## GENERAL INFORMATION

- 2.1. Service Area** – These TBA slots are specifically for the Morning Star Apartments. The slots will stay at the Morning Star Apartments. If the Participant moves, the slots do not move with the Participant.
- 2.2. Nondiscrimination Requirements** – Pursuant to the NAHASDA law and regulations, the Housing Authority will comply with the following nondiscrimination requirements, as applicable:
- A. The Age Discrimination Act of 1975 (42U.S.C. 6101-6107) and HUD's Implementing regulations in 24 CFR part 146.
  - B. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and HUD's Implementing regulations at 24 CFR Part 8.
  - C. The Indian Civil Rights Act (Title II of the Civil Rights Act of 1968; 25 U.S.C.1301-1303).
- 2.3. Payment Standards** – The Housing Authority will utilize the Fair Market rent for Lake County as determined by HUD as the payment standard.
- 2.4. Occupancy Standards** – These TBA slots are reserved for the Morning Star Apartments, only one person is allowed on a household.
- 2.5. Formula for Determining Assistance Amount** – The assistance amount a Participant will be eligible to receive will be the rent charged by the landlord minus 15 percent of the Participant's adjusted monthly income but cannot exceed the fair market rent. If 15 percent of the Participant's income meets or exceeds the fair market rent, the Participant is not eligible for assistance.
- 2.6. Participant Requirements** – The Participant must comply with the following requirements.
- A. The Participant must:
    - 1. Supply the Housing Authority with any information that the Housing Authority determines necessary for use in a regularly scheduled income certification.
    - 2. Disclose and verify Social Security number.
    - 3. Supply any information requested by the Housing Authority to verify the individual is living in the unit or information related to the individual's absence from the unit.
    - 4. Use the assisted unit for residence by the individual only. The unit must be the individual's only residence.
    - 5. Individual is not eligible to add any additional occupants to the unit.

- B. The Participant must not:
  - 1. Commit fraud, bribery, or any other corrupt criminal act in connection with the program.
  - 2. Receive any other housing subsidy for the same unit or a different unit from any state, federal or local housing program.

**2.7. Current Homeowner** – An applicant who currently is buying or owns his/her home must meet one or more of the following exceptions to be considered for this program:

- A. Owns or is buying a home that has been declared condemned or non-habitable.
- B. Cannot live in their home due to a medical condition that is related to the home and the home cannot be rehabilitated to accommodate the medical condition.
- C. Can provide documentation from an authorized agency that the home is held in undivided interest and cannot be sold or lived in by the applicant.
- D. Must provide documentation that the home is being sold or transferred out of the applicant's name. The sale or transfer must be completed six (6) months from the date of occupancy of a Housing Authority unit. If the sale or transfer has not occurred within six months from the date of occupancy the Housing Authority may elect to terminate the lease.

# SECTION 3

## ELIGIBILITY

- 3.1. Application for Assistance** – Any individual that wishes to apply for services shall meet with the CSKT Tribal Defenders Office to ensure program suitability. The CSKT Tribal Defenders Office will forward the individual's completed application to the Housing Authority. The application will include, but is not limited to, the date of application, name and contact information for the applicant, verification of CSKT enrollment, and income verification.
- 3.2. Eligibility Requirements** – To be eligible, an applicant must meet all the following requirements:
- A. The applicant must be eighteen years of age or older or be emancipated through the courts.
  - B. Meet the requirements of "Low-Income" as defined.
  - C. Demonstrate that they are willing and able to meet the obligations of participating in the program.
  - D. Has been selected as a participant of the permanent supportive housing program operated by the CSKT Tribal Defenders Office.
- 3.3. Verification of Eligibility** – Information provided on the application will be verified through the agency providing the information. Information to be verified includes, but is not limited to:
- A. Application Data and Supporting Documentation
  - B. Income Verification
  - C. Any other documentation that the Housing Authority deems necessary

# SECTION 4

## ADMISSIONS

- 4.1. Approved Applicants** – The Housing Authority will notify approved applicants in writing. The CSKT Tribal Defenders Office will be copied on the notification. The notice will include the following statements:
- A. That the individual has been selected.
  - B. That the individual must respond and accept the assistance within seven (7) days or forfeit the assistance.
  - C. What additional documentation must be provided prior to the file handoff to the Occupancy Department.
- 4.2. Rejected Applicants** – All applications who are determined to be ineligible for a program shall be promptly notified in writing and a copy of the letter provided to the CSKT Tribal Defenders Office. The notice shall contain a brief description of the reason(s) they were determined to be ineligible and will explain the applicant's right to request, by submitting a Grievant Request Form within ten (10) working days, hearing in accordance with the Grievance Policy in order to object or to receive further explanation from the Housing Authority.
- 4.3. Notifications** – One intent of this program is to house homeless individuals; therefore, the Housing Authority understands the applicant may not have a mailing address. If no mailing address is available, notifications will be given to the CSKT Tribal Defenders Office, who will be responsible to deliver the notification to the applicant.