

OMAHA TRIBE OF NEBRASKA

Executive Officers

Jason Sheridan, Chairman
Jerome Hamilton, Vice-Chairman
Alan Harlan, Treasurer
Dustin Lovejoy, Secretary



Members

Leander Merrick
Galen Aldrich
Calvin Harlan

RESOLUTION NO. 24-103 OF THE OMAHA TRIBE OF NEBRASKA

- RE:** The ARPA Homeowner Assistance Fund (890 ARPA HAF) Policy and Procedures revision
- WHEREAS:** The Omaha Tribe of Nebraska is a federally recognized Indian tribe organized under a constitution and bylaws approved by the Secretary of Interior on April 30, 1936, pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934; and
- WHEREAS:** pursuant to Article III, Sec.1 of the constitution of the Omaha Tribe of Nebraska, the governing body of the Omaha Tribe shall also be known as Tribal Council; and
- WHEREAS:** pursuant to Article IV, Section 1 (a) of the constitution of the Omaha Tribe of Nebraska provides the Omaha Tribal Council with the power to negotiate with Federal, State, and local governments on behalf of the Tribe, and to advise and consult with the representatives of the Department of the Interior on all activities of the Department that may affect the Omaha Tribe; and
- WHEREAS:** pursuant to Article IV, Section 1 (j) of the Constitution of the Omaha Tribe of Nebraska provides the Omaha Tribal Council with the power to safeguard and promote the economy and general welfare of the Omaha Tribe; and
- WHEREAS:** in response to the COVID-19 public health emergency, the federal government enacted the American Rescue Plan Act ("ARPA"), Pub. L. 117-2 (Mar. 11, 2021), which established under section 3206 the HAF program, the purpose of which is to provide funding for mortgage assistance, utility assistance, property tax assistance, and emergency home improvements to prevent displacement; and
- WHEREAS:** the Omaha Tribe of Nebraska approved and submitted for Department of Treasury approval, the Omaha Tribe of Nebraska HAF Policy and Procedures dated June 2022, and

made and submitted further revisions and updates dated December 2023 and January 2024;
and

WHEREAS: the Omaha Tribal Council wishes to further revise the HAF Policy and Procedures in order to improve the delivery of assistance and reduce barriers to the HAF program implementation by including Tribal member owned homes with deeds that have not yet been transferred to the new owner or may have skipped a generation, and are occupied by the Tribal member heir or next of kin following Omaha traditions of property transfer as recognized by the Tribal Code. In addition, the Tribal member heir of next of kin intends to continue occupying the home after needed repairs; and

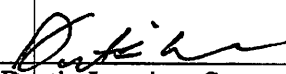
NOW THEREFORE, BE IT RESOLVED THAT: the Omaha Tribal Council hereby approves the revised and updated 890 ARPA HAF Policies and Procedures and authorizes the submission of such HAF Policies and Procedures to the Department of Treasury.

CERTIFICATION

This is to certify that the foregoing resolution was considered at a duly called meeting of the Omaha Tribal Council on the 4th day of June, 2024, and was adopted by a vote of: 4 for; 0 against; 1 abstaining; with the Chairperson not voting. A quorum of _____ was present, _____ absent.

| MEMBERS VOTE: | YES | NO | ABSTAIN/ABSENT |
|-----------------|-----|----|----------------|
| Jason Sheridan | | | Abstain |
| Jerome Hamilton | X | | |
| Alan Harlan | X | | |
| Dustin Lovejoy | | | |
| Leander Merrick | | | Absent |
| Galen Aldrich | X | | Absent |
| Calvin Harlan | X | | |

Submitted by:

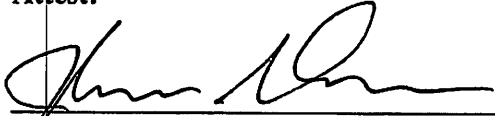


 Dustin Lovejoy, Secretary
 Omaha Tribal Council

6/4/24

 Date

Attest:



 Jason Sheridan, Chairman
 Omaha Tribal Council

6/27/24

 Date



OMAHA TRIBE OF NEBRASKA
In partnership with the Omaha Tribal Housing Authority

**ARPA HOMEOWNER ASSISTANCE
FUND (890 - ARPA HAF)
POLICY AND PROCEDURE**

**Based on the revised HAF Plan submitted to the
Department of Treasury**

Approved June 2022

Revised and Approved by Tribal Council December 2023

Revised and Submitted to Treasury January 2024

Revised by Tribal Council May 2024

PO Box 356
Macy NE 68039

Table of Contents

| | |
|---|----|
| PROGRAM ADMINISTRATORS | 3 |
| BACKGROUND | 3 |
| Public Participation and Community Engagement | 3 |
| PROGRAM DESIGN | 3 |
| Program Descriptions..... | 4 |
| Mortgage Assistance | 4 |
| Utility Assistance | 4 |
| Property Tax Assistance | 4 |
| Emergency Homeownership Home Improvement Assistance (E-HOHIA) | 4 |
| MORTGAGE ASSISTANCE, UTILITY ASSISTANCE, & PROPERTY TAX ASSISTANCE PROGRAMS..... | 4 |
| Qualifying Criteria (Mortgage Assistance, Utility Assistance, Property Tax Assistance)..... | 5 |
| Documentation of Income Verification..... | 5 |
| Housing Costs Documentation..... | 6 |
| Denial of Assistance | 6 |
| EMERGENCY HOMEOWNERSHIP- HOME IMPROVEMENT ASSISTANCE (EHHIA) POLICY | 7 |
| Program Description | 7 |
| Section A: Qualifications | 7 |
| Section B: General Restrictions..... | 7 |
| Section C: List of documentation required | 8 |
| Section D: Improvements (PRIORITIZED) | 8 |
| Section E: Preferences/Rating..... | 10 |
| Section F: Procedures..... | 10 |
| PERFORMANCE GOALS..... | 11 |
| BUDGET | 11 |

PROGRAM ADMINISTRATORS

The Omaha Tribal Housing Authority (OTHA) will manage the Utility Assistance Program. Funds expended will be reported to the Omaha Tribe of Nebraska (OTON). Funds expended will be monitored and reported via established Monitoring Report Form and additional expense reports as required.

The Omaha Tribe of Nebraska (OTON) will manage the Mortgage Assistance Program, Property Tax Assistance Program, and Home Improvements.

BACKGROUND

Public Participation and Community Engagement

Represented respondents said they were 30 days to 6-months late in payments, primarily utilities, insurance, and property taxes. Those facing displacement listed the following repairs needed to maintain the habitability of their homes; keeping in mind that some of those individuals were also affected by presidentially declared disaster flooding in 2019 and those repairs were delayed because of COVID-19.

- Plumbing
- Foundations
- Roofs
- HVAC
- Windows
- Electrical
- Septic
- Energy Efficiencies

In addition to the survey data, the OTHA has had phone calls and requests from tribal members on homeowner needs. They also held a citizen participation meeting in June 2021 to gather additional information about the needs of the community. The OTHA also met with other regional Indian housing leaders during the UNAHA Annual Meeting in July 2021, where they discussed programs and challenges, they are facing in their tribal communities.

The draft plan will be posted to the OTHA and OTON's website and made available for public comment for 5 days prior to submission to Department of Treasury.

PROGRAM DESIGN

HAF funding grants will be used for mortgage assistance, utility assistance, property tax assistance, and emergency home improvements to prevent displacement. The following program descriptions provide the eligibility requirements, intended impact on eligible homeowners, the application process, conditions and limitations, a description of the payment process and other available sources of assistance for targeted homeowners for each program. There will be a maximum of \$20,000 per household allocation between any of the four categories.

- Mortgage Assistance
- Utility Payment Assistance (Electric, Gas, Home Energy, and/or Water) –
- Payment Assistance for Delinquent Property Taxes
- Home Improvement Assistance –

Program Descriptions

Mortgage Assistance

The Mortgage Assistance program will provide full or partial payment assistance to homeowners unable to make full mortgage payments due to a continuing financial hardship associated with COVID-19 pandemic. HAF funds may be used to reduce a homeowner's monthly mortgage/loan payments for a period up to 3 months or until the Maximum Amount of Assistance is reached. HAF funds will only be used to supplement other loss mitigation measures offered by the servicer or where HAF funds are necessary for the homeowner to qualify for other such loss mitigation measures.

Utility Assistance

The Utility Assistance Program will provide assistance to resolve delinquent payments for utilities (Electric, Gas, Home Energy, and/or Water Only). HAF funds may be used to pay delinquent amounts up to 3 months past due and/or one-month current payments. This assistance will be provided in partnership with the Omaha Tribal Housing Authority.

Property Tax Assistance

The Property Tax Assistance Program will provide assistance to resolve delinquent property taxes to prevent homeowner tax foreclosures. HAF funds may be used to pay annual property taxes that were due after January 21, 2020.

Home Improvement Assistance (EHHIA)

The Home Improvement Assistance Program will provide assistance to cover reasonable home repair expenses to the homeowner's primary residence as necessary to restore the property to habitable condition or to resolve housing/property code violations. The Omaha Tribe may utilize HAF administrative funds to provide technical assistance from staff to the homeowner to assist in identifying necessary repair work. (See Program Design on Page 6)

MORTGAGE ASSISTANCE, UTILITY ASSISTANCE, & PROPERTY TAX ASSISTANCE PROGRAMS

- Assistance shall be provided on a first-come, first-served basis. Omaha Tribe reserves the right to end the HAF program early if funding is exhausted prior to the program's end date, whichever comes first.
- The assistance does not have to be repaid; it is being provided on a grant basis.
- Acceptance into the program is based on the date the application is approved and applicants will be notified within 7 business days. An efficient process is also required to prevent possible displacement of an eligible household.
- The program administrators will pay your housing payments directly to your mortgage or loan servicer, utility provider, or county offices.
- Assistance request(s) will be paid in the order in which completed applications are received.
- Under limited circumstances, the program administrators may make payments directly to the applicant. The program administrator has the discretion to provide waivers or exceptions to this payment requirement to accommodate disabilities, extenuating circumstances associated with the coronavirus pandemic, or a lack of technological access, on

a case by case basis. Applicants will be responsible to providing receipt of payment(s) made within 15 days or a request that payment(s) must be paid back will be sent.

Qualifying Criteria (Mortgage Assistance, Utility Assistance, Property Tax Assistance)

- Homeowner(s) must have incomes equal to or less than 150% of the area median income or 100% of the median income of the United States, whichever is greater. In addition, the program administrator must reserve at least 60% of the fund allocation to homeowners with equal to or less than 100% of the area median income.
- At least one of the Homeowners must be an enrolled member of the Omaha Tribe of Nebraska.
- The property must be the homeowner’s primary residence and be located within the exterior boundaries of the Omaha Tribe’s Reservation in Nebraska or Iowa.
- Homeowner(s) must be able to provide documentation confirming the home is in the applicant’s name and the applicant is responsible for monthly payments.
- Homeowner(s) must provide proof of the amount of housing payments due and written attestation that other assistance has not been received for the same payments.

Documentation of Income Verification

Before beginning the application, required documents need to be gathered to electronically submit. Failure to provide all required documentation affects eligibility. The program administrators must have a reasonable basis under the circumstances for determining household income. Proof of all household income for all household members must be submitted. For minors of the household, only unearned income (e.g., Social Security or child support) is required. Earned income of minors and any income of live-in aids is not required.

| Income Source | Acceptable Documents |
|--|--|
| Employment wages | Paystubs from last 30 days <u>or</u> Employer signed form or letter confirming wages <u>or</u> Verification of income or reduction of hours/pay form |
| Self-employment | Profit and loss statement(s) for the three most recent months |
| Net rental income, income from interest bearing assets, royalty income, interest from estates and trusts | Most recent statement |
| Social Security, pensions, retirement, annuities, disability, death benefits | Current benefits letter |
| Unemployment insurance, worker’s compensation, severance compensation | Payment history reflecting gross benefit amount, deductions, and recent payments |
| Any public assistance (General Assistance or TANF) payments from state or local income support office | Current benefits letter |
| Child support, family support, alimony | Current benefits letter |
| Armed forces pay | Two current statements |

Adopted via Resolution 24-104 on 6-4-24

Under limited circumstances, the program administrators may rely on a written attestation from the applicant without further documentation of household income. The program administrators have the discretion to provide waivers or exceptions to this documentation requirement to accommodate disabilities, extenuating circumstances associated with the coronavirus pandemic, or a lack of technological access. However, the program administrators remain responsible for making the required determination regarding an applicant's household income and documenting that determination.

Housing Costs Documentation

The following documentation regarding housing costs to verify the requested amount must be provided. Documentation required is based on the type of assistance requested.

| | Assistance Type | Required Documentation |
|--|------------------------------------|--|
| | Mortgage/homeowner loan assistance | Evidence of total balance due, broken down by month: <ul style="list-style-type: none">• Current unredacted loan statement, or• Current unredacted past-due notice from servicer |
| | Utility payment assistance | Evidence of total balance due, broken down by month: <ul style="list-style-type: none">• Current unredacted billing statement• Most recent disconnect notice• Current unredacted past-due notice from servicer |
| | Property taxes | Evidence of total balance due: <ul style="list-style-type: none">• Current property tax bill |

**All application information provided to the program administrator shall be verified using normal practices OTHA engages in when processing applications for other housing programs.*

Denial of Assistance

All ineligible applicants shall be promptly notified in writing via email or letter via USPS. The notification shall include all reasons for the ineligibility determination. The program administrator shall also work with an applicant to correct application deficiencies.

EMERGENCY HOMEOWNERSHIP- HOME IMPROVEMENT ASSISTANCE (EHHIA) POLICY

Program Description

The Home Improvement Assistance Program will provide assistance to cover reasonable home repair expenses to the homeowner's primary residence as necessary to restore the property to habitable condition or to resolve housing/property code violations. The Omaha Tribe may utilize HAF administrative funds to provide technical assistance from staff to the homeowner to assist in identifying necessary repair work.

Section A: Qualifications

Applicants requesting assistance shall meet the following criteria:

1. The homeowner, whose name appears on the contract or purchase agreement, must be an enrolled member of the Omaha Tribe of Nebraska. Copies of enrollment certification and or Tribal ID shall be attached as part of the completed application.
2. Applicant's home/primary residence shall be the home listed on the application and located within the exterior boundaries of the Omaha Tribe's Reservation in Nebraska or Iowa at the time of project funding allocation.
3. Applicants whose primary residence and home is not located within the Omaha Tribe of Nebraska service area will not qualify.
4. Applicants must own the home and provide verification of ownership (i.e. deed). Such verification may include Tribal member owned homes with deeds that have not yet been transferred to the new owner or may have skipped a generation, and are occupied by Tribal member heir or next of kin following Omaha traditions of property transfer as recognized by the Tribal Code. The Tribal member heir or next of kin intends to continue occupying the home after needed repairs.
5. Homeowner(s) must have incomes equal to or less than 150% of the area median income or 100% of the median income of the United States, whichever is greater. In addition, the program administrator must reserve at least 60% of the fund allocation to homeowners with equal to or less than 100% of the area median income. Income verification will be based on the documentation described above in "Documentation of Income Verification".

Section B: General Restrictions

This policy is adopted as guidance for OTON to implement objective and firm processing procedures for applicants requesting emergency home improvement assistance under the HAF Program.

This policy is subject to limitations and/or restrictions based on the available budget. It is also subject to regulatory requirements that may be required by the Department of Treasury.

Restrictions include:

1. Awards for assistance are based on need.
2. The homeowner may receive up to \$20,000.00 of assistance from the available HAF programs.
3. OTON shall not implement relocation services as part of the process of implementing home improvements. Relocation, if necessary, shall be at the homeowner's expense.
4. OTON will rate and rank the application. All applicants will be placed on the waiting list according to the results of the ARPA team's rating/point system and then by date of application. Once funding is available OTON will contact the homeowner according to the waiting list/preference points. All required documentation supporting the application will need to be handed in to the OTON by the document's deadline.

Section C: List of documentation required

1. Application
2. Verification of Tribal enrollment – Copy of Tribal ID and or enrollment certificate.
3. Homeownership verification (i.e. deed). Such verification may include Tribal member owned homes with deeds that have not yet been transferred to the new owner or may have skipped a generation, and are occupied by Tribal member heir or next of kin following Omaha traditions of property transfer as recognized by the Tribal Code. The Tribal member heir or next of kin intends to continue occupying the home after needed repairs.

Section D: Improvements (PRIORITIZED)

OTON will categorize and assign preference to the Scope of Work required or requested. This preference shall be provided in the form of points in the rate/ranking system. OTON will inspect all projects and rate the greatest needs based on the following point system as well as provide directives for all estimates and contractors hired for all work. Housing deficiencies, hazardous conditions, code violations, or uninhabitable or condemned properties will receive priority. Home improvements necessary for accessibility for elderly or disabled will also receive priority points. Veterans will receive priority points.

Applications will then be evaluated and awarded based on the applicant's preference points and OTON's categorization and rating points for the project as follows:

1. STRUCTURAL IMPROVEMENTS REQUESTS – 60 points
 - Foundation repair
 - Stoop or landing replacement
 - Siding
 - Windows & exterior doors
 - Sub-floor

Adopted via Resolution 24-104 on 6-4-24

- Roof and gutter replacement
 - Drainage work
2. MECHANICAL SYSTEMS IMPROVEMENT REQUESTS – 50 points
- Replacement/repair of heating system
 - Replacement/repair of A/C system
 - Repairs/improvements to the plumbing systems
 - Replacement/improvements to the electrical systems
3. SAFETY ISSUES – 40 points
- Existing deck repairs
 - Handicapped access
 - Sidewalk/driveway
4. ENERGY EFFICIENCY REQUESTS – 30 points
- Window replacement
 - Entrance door replacement
 - Siding replacement
 - Insulation work
5. OTHER ITEMS – 5 points
- Work on covered porches
 - Deck work
 - Tree Removal
 - 2nd or 3rd bath installation
 - Additions (for bedrooms or otherwise)
 - Installation of ceiling fans
 - Security system installation
 - Water softener
 - Range hood replacements
 - Incidentals (i.e., curtain rods, fixtures)
 - Floor covering
 - Painting
 - Cabinetry work or replacement
 - Appliances – Stove and/or Refrigerator (must be unrepairable, as determined by OTON)

Section E: Preferences/Rating

In addition to the Scope of Work Preference Points, OTON will rank applications based on the following preference points:

- Omaha preference 100 points
- Elder/near elder 62/55 15 points
- Date of Application 1-15 points (2 points per year)
- Length of Homeownership 2-30 points (2 points per yr. 30-year max)
- No liens 25 points
- Handicap/disabled 30 points
- Veteran 10 points

Section F: Procedures

OTON will implement the following procedures for the Emergency Homeownership Improvement Assistance Program:

- a) Upon funding availability, OTON will provide notification of “project and solicitation”.
- b) The Administration, or designee, will review all applications for all programs in the order that they are received and determine whether the applicant meets the Program’s eligibility requirements and the applicant has submitted all of the necessary documentation. If the applicant meets the requirements and has submitted all necessary documentation to the satisfaction of the Omaha Tribe of Nebraska, then the ARPA Department, or designee, will approve the application within (30) business days and schedule the necessary home repairs.
- c) However, if the applicant fails to meet the above requirements, then the respective applicant will be denied and provided the reason for the denial, in writing within (10) business days. All determinations by the ARPA Department are final unless the applicant can provide all required documentation within the duration of the program and resubmit according to the above procedures.
- d) Highest scored applicants will be served first
- e) Necessary items to ensure the safety of the home, such as lead based paint and asbestos mitigation, will be conducted by a local contractor and/or tribal staff. Tribe’s procurement policy will be followed.
- f) OTON ARPA Team will schedule a pre-construction meeting with the Contractor, OTON, and the homeowner. The scope of work will be reviewed and signed by all three parties. After approval the contractor will schedule completion of construction.
- g) OTON ARPA staff will communicate the accounts payable systems to the contractor. Start-up costs of up to 50% will be allowed. Progress payments will be allowed after progress inspection has been completed by ARPA Staff and the homeowner.
- h) OTON ARPA Staff and the homeowner shall complete and sign the final inspection of the project.

PERFORMANCE GOALS

| Program Design Element | Metrics of Success | Goal |
|------------------------------------|---|--|
| Mortgage Assistance | 10 home losses avoided due to HAF funds | Prevent 10 home losses within 24 months |
| Utility Assistance | Utility payments up to date in 130 homes | Prevent 130 homes from losing utility services |
| Property Tax Assistance | 10 tax-related delinquencies paid off | Prevent the replacement of 10 homeowners by paying off delinquent property taxes |
| Emergency Home Improvement Program | 55 home improvements to ensure safe living environments | Prevent the displacement of 55 homeowners by ensuring a safe living environment |

BUDGET

| | |
|--|---------------------|
| Mortgage Payment Assistance | 84,640.59 |
| Utility Payment Assistance | 115,000.00 |
| Delinquent Property Tax Payment Assistance | 30,000.00 |
| Emergency Housing Improvement | 825,000.00 |
| Administrative Expenses | 162,154.00 |
| TOTAL | 1,216,794.59 |

**Budget line item amounts may change based on the needs of the Omaha Tribal members. Each approved applicant will be eligible for up to a cumulative \$20,000 in assistance. Budget will be adjusted to actuals.