

Homelessness Prevention Assistance Program Policy

Table of Contents

SECTION I. Program Purpose……………………………………………………………………………………………………………. 2

SECTION II. Definitions………………………………………………………………………………………………………………………. 2-3

SECTION III. Program Overview…………………………………………………………………………………………………………… 4-7

SECTION IV. Eligibility………………………………………………………………………………………………………………………….. 7-9

SECTION V. Appplication Process……………………………………………………………………………………………………….. 9-11

SECTION VI. Program Participation…………………………………………..…………………………………………………………. 11-12

SECTION VII. Program Management………………………………………..…………………………………………………………… 12-13

SECTION VIII Management and Use of Funds……………………………..………………………………………………………… 13-14

**SECTION I. PURPOSE**

1. This Homelessness Prevention Assistance Program Policy (“Policy”) shall govern the Burns Paiute Housing Department(“BPHD”) Homelessness Prevention Assistance Program (“HPA Program”) and the expenditure and management of the By and For Initiative, Native American Tribes of Oregon (“Program Funds”) received from the State of Oregon Housing and Community Services (“OHCS”).
2. Homelessness and housing instability pose an immediate and imminent threat to the health, safety, and well-being of Tribal families and individuals. The purpose of the HPA Program is to assist with payment for emergency shelter, rents and utilities, and arrearages for the same, and any other related costs necessary to become or remain stably housed for Burns Paiute Tribal members located within Harney County, Oregon. The HPA Program is designed to assist Tribal households who face homelessness, risk of homelessness or housing instability.
3. Notwithstanding any provision set forth in any other BPHD Policy, receipt of assistance from the HPA Program established under this Policy shall not make the Recipient or Recipient family eligible or ineligible for assistance under any other BPHD policy or program.
4. Nothing in this Policy shall be construed to invalidate any otherwise legitimate grounds for eviction.
5. Assistance to be provided under the HPA Program is subject to availability of funds. No applicant or household determined to be eligible is entitled to or has a property right to receive funding under the HPA Program. When funding for the HPA Program is fully expended, the HPA Program may be suspended or terminated. BPHD may terminate this Program at any time.
6. This Policy is based on, and the HPA Program will be carried out, in reliance upon guidance from the State of Oregon Housing and Community Services agency. This Policy and the administration of the HPA Program will be subject to change if and when additional guidance is provided.

**SECTION II. DEFINITIONS**

**General:** The following definitions shall apply to this HPA Program Policy.

1. “**Applicant**” means any person or family who applies for assistance pursuant to these Policies and Procedures.
2. “**BPHD**” mean the Burns Paiute Housing Department
3. “**Eligible Household**” means a household that meets the eligibility requirements provided for in Section IV.
4. “**Financial Assistance**” means payments provided through the HPA Program Funds for Rent, Utility Costs, and Other Eligible Expenses.
	1. “**Rent**” is the monthly amount charged by a Landlord for possession and occupancy of a dwelling unit. If Utility Costs are included in the monthly payment to the Landlord, they are deemed to be Rent. This definition includes pet rent and rental payments for the parcel of land a manufactured home or RV occupies (lot or space rent).
	2. “**Rent** **Arrears**” mean rental payments in arrears and associated late and reinstatement fees.
	3. “**Current** **Rent**” means the rental payment for the current month that is due and owing but not yet in arrears.
	4. “**Utility** **Costs**” means utility and home energy costs related to the occupancy of rental property (e.g., water, sewer, garbage, gas, electricity, phone, internet, and energy costs (such as fuel oil)) that are separately stated charges. This definition includes utility and home energy costs for manufactured homes, as well as a regular monthly cost for firewood if the wood is used for heating or cooking. Payments to public utilities are permitted.
	5. “**Utility** **Costs** **Arrears**” means Utility Cost payments in arrears and associated late and reinstatement fees.
	6. “**Current** **Utility** **Costs**” means Utility Costs that are currently due and owing but not yet in arrears.
	7. “**Other** **Eligible** **Expenses**” means expenses related to housing to include the following:
		1. Payment to a hotel/motel if the Applicant is staying at a hotel/motel as a means of avoiding homelessness, provided that:
			1. The household has been temporarily or permanently displaced from its primary residence or does not have a permanent residence elsewhere;
			2. The total days of assistance provided to the household does not exceed fifteen (15) calendar days; and
			3. Documentation of the hotel or motel stay is provided and the other applicable requirements imposed by law or policy are met.
			4. Neither maintenance costs nor expenses incidental to the charge for a hotel/motel room are included in this definition.
		2. Assistance in payment for food, clothing, toiletries, and other necessities for sheltered and unsheltered homeless, hotel/motel residents, or other program participants in transition.
		3. Costs to board and care for the animals of hotel/motel residents or other program participants in transition, such as boarding costs, kennels, leashes, veterinary services, food, toys, etc.
		4. Housing relocation assistance (e.g., moving expenses, first and last month’s rent payments, application and screening fees, security deposits, pet deposits, utility deposits and connection fees).
		5. Transportation (e.g., bus/train passes, fuel, minor vehicle repairs costing no more than $300, coach airfare). The purpose of transportation assistance to is enable applicants to relocate to an area where stable housing, employment, and/or other supportive services have been secured. Applicant must provide proof of employment and/or supportive services prior to receiving assistance. Applicants requesting fuel or minor vehicle repairs must have a valid driver’s license and insurance and supporting documentation of request.
		6. Rent, security deposits, or court endeavors such as, reopening an eviction action, appealing an order of eviction, reinstating a lease, or otherwise avoiding an eviction order.
		7. Work supports (e.g., training costs, transportation assistance – bus tokens, fuel, minor vehicle repair $300 or less, childcare or eldercare costs, clothing to support employment needs). The purpose of the work support is to allow the household to stabilize by avoiding costs or expenses in other areas that are a barrier to housing stability.
		8. Furniture and household goods reasonably necessary, up to $500, to support a program participant moving into a new home. BPHD will assist in the purchasing of these items to ensure there is no abuse to the HPA Program funds.
5. “**Landlord**” means any individual person, family, or entity who owns or manages a dwelling unit and rents or leases that dwelling unit to an Eligible Household.
6. “**OHCS**” means the State of Oregon Housing and Community Services agency.
7. “**Recipient**” means a household of one or more individuals that receives assistance from the HPA Program Funds.
8. “**Tribal** **Member**” means an enrolled member of the Burns Paiute Indian Tribe.
9. “**Tribe**” means the Burns Paiute Indian Tribe.
10. “**HPA**” means Homelessness Prevention Assistance

**SECTION III: PROGRAM OVERVIEW**

1. BPHD shall only use the HPA Program Funds to provide Financial Assistance and Housing Stability Services to Eligible Households in accordance with the terms of this Policy
	1. **Application.** To participate in the HPA Program, an Applicant must first submit a complete, written Application to BPHD. This Application must include all information required by BPHD, as described below in Section V.
	2. **Participation**. Prior to Applicant’s approval for participation in the HPA Program, Applicant must submit information and supporting documentation for each month of Rent, Utility Costs, and Other Eligible Expenses for which they seek Financial Assistance.
	3. **Initial eligibility requirements**. Once application is submitted, Applicant must first complete all initial eligibility requirements prior to receiving assistance from the HPA Program. Upon completion of initial eligibility requirements, applicant is eligible to receive $500 of assistance from the HPA Program.
	4. **Secondary eligibility requirements**. Applicant must complete secondary eligibility requirements prior to receiving further assistance than the initial $500 of assistance. Every occurrence, after the initial request, that an Applicant requests assistance, secondary eligibility must be completed prior to receiving assistance from the HPA Program.
2. **Financial** **Assistance**
	1. BPHD does not need to provide assistance with Rent in order to provide assistance with Utility Costs. Likewise, BPHD does not need to provide assistance with Utility Costs in order to provide assistance with Rent.
	2. **BPHD as the Landlord**. BPHD may provide assistance to Eligible Households for which BPHD is the Landlord, provided that no preferences other than those provided to all applicants are given to Eligible Households that reside in BPHD’s own properties.
	3. **Arrears Payments**. If any Eligible Household has any Rent Arrears or Utility Costs Arrears, BPHD must first provide Financial Assistance under this HPA Program to pay all or a portion of those arrears before providing payments for any Current Rent or Utility Costs.
		1. **Rent Arrears and Utility Costs Arrears** means money that is overdue after missing one or more required payments. Arrears may include interest charges and penalties accrued from the date on which the first missed payment was due.
		2. **Arrears Cut-Off**. BPHD may only use HPA Program Funds to pay Rent Arrears and Utility Costs Arrears for rent and utility and home energy costs incurred one (1) month prior to application date for which Eligible Households are in arrears.
		3. An Eligible Household that does not have any arrears payments may still participate in the HPA Program.
	4. **Term**. BPHD shall provide Financial Assistance for a period not to exceed six (6) months, with the exception of arrears, subject to the completion of initial and secondary eligibility requirements, and subject to the availability of funds.
	5. **Disqualification**. Recipients who receive assistance from the HPA Program funds to acquire a rental may be disqualified from receiving further rental assistance from the HPA Program funds.
		1. **Failure to respect the acquired rental**. This looks like causing physical harm to the facility or grounds of the facility in such a way as to impair its value, usefulness, or normal function.
			1. There will be zero tolerance for the disrespect of others property. If this occurs the recipient will be immediately, and permanently, disqualified from receiving assistance from the HPA Program funds for any further rental expenses.
			2. If a rental agreement is terminated due to this behavior, BPHD will assist in finding Recipient alternative housing, but will not represent, vouch for or financially assist the Recipient utilizing HPA Program funds.
			3. Other services offered through the HPA Program may still be available to the recipient.
	6. **Distribution of Financial Assistance**
		1. For all Financial Assistance for Rent Arrears, Utility Costs Arrears, Current Rent, Current Utility Costs, or Rental Deposits provided to an Eligible Household, BPHD will make payments to the Landlord or utility provider on behalf of the Eligible Household.
			1. BPHD must make reasonable efforts to obtain the cooperation of Landlords and utility providers to accept payments from the BPHD, utilizing HPA Program funds. Outreach will be considered complete if:
				1. A request for participation is sent in writing, by certified mail, to the Landlord or utility provider, and the addressee does not respond to the request within seven (7) business days after mailing;
				2. if BPHD has made at least three attempts by phone, text, or email over a five (5) calendar-day period to request the Landlord or utility provider’s participation; or
				3. the Landlord or utility provider confirms in writing that they do not wish to participate.
				4. For any of these methods, the final outreach attempt to the Landlord or utility provider must be documented. The cost of the mailing is an eligible administrative cost.
			2. **Exception**. If, after BPHD’s outreach to the Landlord or utility provider, the Landlord or utility provider does not agree to accept such payment from BPHD, BPHD may make such payments directly to the Eligible Household for the purpose of making payments to the Landlord or utility provider.
		2. For any payments made by BPHD to a Landlord or utility provider on behalf of an Eligible Household, BPHD shall provide documentation of such payments.
	7. **Prospective** **Obligations**. If a tenant does not have a current rental obligation, BPHD may provide otherwise Eligible Households with an official document specifying the amount of Financial Assistance under the HPA Program that BPHD will pay the Landlord on behalf of the Eligible Household (such as for a rental/security deposit or rent) if the Landlord and Eligible Household enters into a qualifying lease of at least twelve (12) months.
		* 1. **Exception**. If BPHD and Eligible Household have made all attempts to acquire a twelve (12) month lease and this is not possible, Eligible Household may enter into a minimum of a six (6) month lease.
	8. **Other** **Eligible** **Expenses**. Payments for Other Eligible Expenses will be paid directly to the provider of such services, subject to the same terms and conditions, and same exceptions, as payments to Landlords and utility providers. Please see “Other Eligible Expenses” under “Definitions” on page three (3) for allowable assistance.
	9. **Rental** **Deposits**. The amount of a Rental Deposit should not exceed one month’s rent, except in cases where a higher amount is reasonable and customary in the local housing market, which shall be determined at the discretion of BPHD.
		1. To mitigate risks associated with the misuse of HPA Program funds for Rental Deposits, and establish more security and stability for the Applicant, BPHD hereby establishes a minimum rental period of twelve (12) months, before an Eligible Household is eligible to receive assistance for rental deposits with HPA Program funds.
			1. **Exception**. If BPHD and Eligible Household have attempted to acquire a twelve (12) month lease and this is not possible, Eligible Household may enter into a minimum of a six (6) month lease.
		2. If an Eligible Household receives assistance with a rental deposit, at the end of the lease, the deposit shall be returned to BPHD.
		3. The treatment of Rental Deposits is generally subject to applicable law and the rental agreement.
	10. **Special Rules and Procedures for Hotel/Motel Lodging**. BPHD will provide Financial Assistance to cover emergency hotel/motel lodging only where:
		1. The Eligible Household demonstrates or attests that they are in immediate need of housing, and would otherwise be without housing, except for lodging in a hotel or motel; or
		2. BPHD has determined that it would be at least as cost-effective offering Financial Assistance for a hotel/motel stay as compared to providing other forms of assistance.
		3. Hotel or motel must be willing to receive payment from BPHD on behalf of the Recipient.
			1. If BPHD has exhausted all efforts and this is not possible, BPHD may furnish recipient with payment for the hotel/motel stay on a week-by-week basis. Documentation from recipient must be provided.
		4. BPHD may periodically reassess whether Eligible Households staying at a hotel/motel remains cost-effective as compared to providing other forms of assistance.
		5. BPHD will only cover costs related to a hotel/motel stay for a maximum of fifteen (15) calendar days.
		6. BPHD will not cover any fees related to maintenance costs nor incidental damages that are incurred by the recipient.
		7. Documentation of the hotel or motel stay must be provided and the other applicable requirements imposed by law or policy are met.
	11. **Duplication of Assistance**. An Eligible Household that occupies a subsidized residential or mixed-use property may receive HPA Program assistance, provided that HPA Program Funds are not applied to costs that have been or will be reimbursed under any other form of assistance. To the extent feasible, BPHD will ensure that any other benefits or assistance provided to an Eligible Household pursuant to the HPA Program Funds is not duplicative of any other benefits or assistance provided to such household, this includes all other Tribal Services.
		1. If an Eligible Household receives a monthly federal subsidy (e.g., a Housing Choice Voucher, Public Housing, or Project-Based Rental Assistance) and the Eligible Household’s rent is adjusted according to changes in income, the Eligible Household may not receive HPA Program assistance to cover the portion of the rental payment or utilities that has been subsidized, but HPA Program assistance can be provided to pay the Eligible Household’s owed portion of Rent or Utility Costs (i.e., the amount that the Eligible Household is required to pay out of its own funds to the Landlord or utility provider).
		2. If an Eligible Household receives rental assistance other than through the HPA Program, HPA Program assistance may only be used to pay for costs, such as the tenant-paid portion of Rent and Utility costs, that are not paid for by the other rental assistance. BPHD must review the Eligible Household’s sources of assistance to confirm that the HPA Program assistance does not duplicate any other assistance, including federal, state, and local assistance provided for the same costs.
		3. If an Eligible Household receives benefits or assistance from any other Tribal Services, BPHD will ensure there is no duplicative benefits or assistance provided to Eligible Household utilizing HPA Program funds.
	12. **Treatment of Assistance**. Assistance provided to an Eligible Household from the HPA Program Funds will not be regarded as Income and will not be regarded as a resource for purposes of determining the eligibility of the Eligible Household or any member of the Eligible Household for benefits or assistance, or the amount or extent of benefits or assistance, under any other BPHD program.
3. **Prohibition on Evictions by Landlords**
	1. Landlords that receive HPA funds under this Program for current rent, as a condition of receiving the funds, may not evict an Applicant for nonpayment of rent during the period covered by the Financial Assistance.
	2. In addition, landlords that receive HPA funds under this Program for rental arrears, as a condition of receiving the funds, may not evict an Applicant for nonpayment of rent during the period covered by the Financial Assistance, consistent with applicable law.
	3. Landlords who receive direct payments under this Program will be required to sign an agreement with BPHD to ensure compliance with the prohibitions under this section, as well as to commit to use the funds received for the purposes permitted under this Program.

**SECTION IV. ELIGIBILITY**

1. **Eligibility Requirements**. To be eligible to apply for the HPA Program at the time the Applicant applies to the Program, the Applicant must meet the following eligibility requirements:
	1. The Applicant is a Burns Paiute Tribal Member located within Harney County, Oregon.
	2. The Burns Paiute Tribal Member Applicant is homeless- Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
		1. Living in a primary nighttime residence that is a public or private place not designed for human habilitation (including, but not limited to, a car, park, abandoned building, bus or train station, airport or camping ground);
		2. Living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional shelter, and hotels or motels paid for by charitable organizations or by federal, state or local government programs); OR
		3. Exiting an institution where the individual or family has resided for 90 days or less AND who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.
	3. The Burns Paiute Tribal Member Applicant is at imminent risk of homelessness- applicant will imminently lost their primary nighttime residence provided that:
		1. The primary nighttime residence will be lost within 21 calendar days of the date of application;
		2. No subsequent residence has been identified; AND
		3. The applicant lacks the resources or support networks (e.g., family, friends, faith-based or other social networks) needed to obtain other permanent housing.
	4. The Burns Paiute Tribal Member Applicant is considered homeless under other federal statutes listed below;
		1. Has not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 calendar days prior to the HPA Program application;
		2. Has experienced persistent instability as measured by two moves or more during the 60 calendar days prior to the HPA Program application; AND
		3. Can be expected to continue in such status for an extended period of time due to special needs or barriers.
	5. The Burns Paiute Tribal Member Applicant is Fleeing/attempting to flee domestic violence including but not limited to;
		1. Fleeing or attempting to flee domestic violence;
		2. Has no other safe residence; AND
		3. Lacks the resources or support networks to obtain other permanent housing
	6. The Burns Paiute Tribal Member Applicant is Unstably Housed who:
		1. Is at risk of losing their housing, and does not otherwise qualify as homeless under the above listed (1-4) categories, provided that:
			1. Applicant has been notified to vacate current residence or otherwise demonstrate high risk of losing current housing; AND
			2. Lack the resources or support networks to obtain other permanent housing
		2. That one (1) or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability, which may include:
			1. A past due utility or rent notice or eviction notice;
			2. Unsafe or unhealthy living conditions, including overcrowding, lack of adequate heat, plumbing, or sewer, threat or occurrence of domestic violence, criminal activity including drug-related criminal activity, as evidenced by a written attestation from the Applicant, documentary or photographic evidence, court or police records; or
			3. Any other evidence of such risk, as determined by BPHD, which evidence may include a written attestation from the Applicant, documentary or photographic evidence, court or police records.
	7. **Initial eligibility requirements.** Prior to being eligible to receive assistance from the HPA Program, applicant must complete all initial eligibility requirements and provide verification to BPHD. Any fees related with these, that are not covered by Applicant’s insurance, will be covered by BPHD using HPA Program funds. Once initial eligibility requirements are completed, Applicant will be eligible to receive $500 in assistance. For further assistance Applicant must complete the secondary eligibility requirements. All verification of initial and secondary eligibility requirements must be submitted to the following address:

**Burns Paiute Housing Department**

**100 Pasigo St Burns OR 97720**

**Attn: BPHD IHA Program**

**Or submitting such verification by email to rebecca.parrish@burnspaiute-nsn.gov**

* + 1. Financial literacy class
			1. This class will be required by all applicants prior to receiving assistance from the HPA Program. Applicant must coordinate with BPHD to enroll for this class.
		2. Obtain an assessment, through an accredited wrap around care facility, located within our service area of Harney County.
			1. Receiving an assessment by a wraparound care facility located within our service area of Harney County, and if needed, receiving a personalized supportive care plan will be required by all applicants prior to receiving assistance from the HPA Program. Applicant must provide verification to BPHD.
		3. Work with a credit repair counselor
			1. If applicants credit score is considered “fair”, which is 669 or below, applicant will be required to complete one consulting session with the credit repair counselor prior to receiving assistance from the HPA Program.
				1. Verification of completion will be submitted to BPHD by the credit repair counselor.
		4. Enrolling with a supported employment program.
			1. Any applicant that is unemployed, and not enrolled in some form of education, must enroll with a supported employment program and provide verification to BPHD prior to receiving assistance from the HPA Program.
				1. If applicant wishes to be exempt from this requirement they must submit their most current pay stub to provide verification of employment. Pay stub must be dated back no longer than thirty (30) calendar days from the date of submittance to BPHD.
	1. **Secondary eligibility requirements.** Prior to being eligible to receive further assistance from the HPA Program than the initial $500 received upon completion of the initial eligibility requirements, applicant must complete all secondary eligibility requirements. Any fees related with these, that are not covered by Applicants insurance, will be covered by BPHD using HPA Program funds. Applicant will be required to provide verification of completion to BPHD prior to receiving further assistance. Applicant is required to submit verification of secondary eligibility requirements to BPHD at the time of every request for assistance.
		1. Verification of continued participation with personalized supportive care plan.
			1. Applicant must submit verification of continued participation, working to complete their personalized supportive care plan that was provided during Applicants assessment from the accredited wraparound care facility. Applicant must be maintaining at least an 80% positive attendance rate.
				1. To be exempt from this eligibility requirement Applicant must provide verification to BPHD, provided from a wraparound care facility located within our service area of Harney County, verifying that the Applicant has no need for a personalized supportive care plan.
		2. Verification of continued participation with a supported employment program.
			1. Unemployed Applicants, not enrolled in some form of education, that were required to enroll with a supported employment program, must submit verification of continued participation with this program. Applicant must be maintaining at least an 80% positive attendance rate.
				1. To be exempt from this eligibility requirement, Applicant must obtain employment and submit their most recent paystub, dating back no more than thirty (30) calendar days from the date of submittance.
		3. Continued participation working with the credit repair counselor.
			1. Monthly verification reports of all participants for that month will be submitted to BPHD by the credit repair counselor.
		4. Verification of Employment.
			1. Employed Applicants must submit verification of employment by submitting their most recent paystub, dating back no more than thirty (30) calendar days from the date of submittance.

**SECTION V. APPLICATION PROCESS**

1. **Participation Applications**. To participate in the HPA Program, an Applicant must first submit a complete, written Application on the forms provided by BPHD. Prior to submitting an application, applicant must read all eligibility requirements to ensure they are eligible. All information required to be on the forms must be completed. If incomplete a BPHD staff member will contact applicant to assist in completion. Applications for the HPA Program must be submitted to BPHD by mailing or dropping off the Applications to the following address:

**Burns Paiute Housing Department**

**100 Pasigo St Burns OR 97720**

**Attn: Housing Department- HPA Program**

**Or submitting such applications by email to** **rebecca.parrish@burnspaiute-nsn.gov**

**The application must include the following information and supporting documentation:**

1. **Applicant and Household Information**
	1. Full name and date of birth of the applicant and of all members of Applicant’s household;
	2. Tribal Identification number or certificate of Indian blood;
	3. If applicable, Applicant’s address and contact information; rental unit address (if different from Applicant’s current address);
	4. For Landlords and utility providers, the name, address, telephone number, email address, and Social Security Number, Tax Identification Number, or DUNS Number;
	5. Total amount of each type of assistance requested by Applicant to be provided to the household (i.e., rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears, and other expenses related to housing);
	6. Amount of outstanding rental arrears for the household;
	7. Amount of outstanding utilities arrears for the household;
	8. Number of months of rental payments and number of months of utility or home energy cost payments for which HPA Program assistance is requested;
	9. Gender, race, and ethnicity of the primary Applicant (for grant reporting purposes only).
	10. Employment Verification- most recent paystub, dating back no further than thirty (30) calendar days from the date of Applicants submittance of application.
2. **Housing** **Instability**. Information and supporting documentation demonstrating that one (1) or more individuals within the household is or is at risk of experiencing homelessness or housing instability. The Applicant must submit documentation as set out in Section IV (A), above.
3. **Release** **of** **Information**. A release of information allowing BPHD to obtain and share data necessary for Applicant to participate in the HPA Program.
4. BPHD will require Applicant to furnish no more documentation than is reasonably necessary to complete the Application and that may pose a barrier to participation for Eligible Households.
5. **Notification of Change of Eligibility**. Applicants are required to notify BPHD in writing immediately whenever any determining factor of eligibility changes. This includes:
	1. No longer homeless, unstably housed, or facing a risk of homelessness or housing instability.
6. **Falsification and Investigation**
	1. If it is discovered that an Applicant has falsified his or her application, or otherwise abused the HPA Program, or if a Recipient fails to notify BPHD of changes to the household’s eligibility, the household will be subject to penalties. Penalties will include ineligibility for continued participation in the HPA Program and repayment of the value of any benefit for which they were not eligible to receive. BPHD shall have the right to seek such repayment through garnishment of the Recipient’s wages or other Tribal benefits, if any.
	2. BHDP shall retain the right to conduct a follow-up investigation into any self-attestations submitted or regarding any other documentation, at its own discretion, if it determines that the reliability or accuracy of the information provided is in doubt.
7. **Application Review**
	1. The BPHD staff member receiving the Application shall sign and date the Application when it is received at the BPHD offices.
	2. **Preferences and Priorities**. Applications will be reviewed and processed as they are received. Following are the order of preferences and priorities:
		1. First (1st) priority will be given to Burns Paiute Tribal Member Applicants that have at least one minor that resides in the household.
		2. Second (2nd) priority will be given to Burns Paiute Tribal Member Applicants who are current victims of domestic violence trying to flee the situation.
		3. Third (3rd) Priority will be given to Burns Paiute Tribal Member Applicants that have at least one family member (regardless of whether that member is the head of household) who is elderly (at least fifty-five (55) years of age) and/or disabled.
		4. Fourth (4th) Priority will be given to Burns Paiute Tribal Member Applicants that have at least one family member (regardless of whether that member is the head of household) who is a Veteran and was discharged or released from active duty under honorable conditions.
		5. Fifth (5th) priority will be given to all other Burns Paiute Tribal Member Eligible Households.
	3. **Approval of Application**. BPHD will notify Applicants, using Applicant’s preferred method of contact, within fourteen (14) calendar days of BPHD’s receival of the Application. BPHD’s will then disclose their decision of whether the Applicant has been approved or denied to receive assistance from the HPA Program. Applicant will also be informed, and given directions on how to complete, the initial and secondary eligibility requirements.
	4. **Denial of Application.** If upon initial review, BPHD determines that the Applicant is not eligible or the request is outside of this Policy, or there are no longer any HPA Program Funds available, BPHD will notify the Applicant, using Applicant’s preferred method of contact, of BPHD’s determination, the applicable policies which support the determination, and the process of appeal (if allowed).
		1. **Process of Appeal**. Any Applicant who is dissatisfied with a decision of BPHD concerning eligibility or assistance, the level of benefit approved, or the type of services available, can appeal that decision under the regular BPHD appeal procedures for denial of services.
		2. **No Appeal.** If the reason for the denial of the Application is that there are no longer any HPA Program Funds remaining, such denial is not subject to appeal.
	5. **Notice of Preference.** BPHD will publicly post a description of BPHD’s prioritization methods at its administrative office.

**SECTION VI. PROGRAM PARTICIPATION**

1. **Submission of Documentation**
2. Prior to an Applicant’s approval for participation in the HPA Program, they must submit information and documentation on the Rent Arrears, Utility Costs Arrears, Current Rent, and Current Utility Costs for which they are seeking Financial Assistance. Applicant must provide other documents and waivers.
	1. Applicants must submit the above, and below, information and documentation at the same time that they submit their initial program Application.
3. For each additional month (if applicable), with a maximum of six (6) months, that a Recipient seeks Financial Assistance under this HPA Program, the Recipient must submit the information and documentation listed below for the Rent and Utility Costs for which they seek assistance.
4. **Information and Documentation of Need for Financial Assistance**. Applicants and Recipients must submit information and supporting documentation on the following:
	1. Signed copy of the Applicant’s current or prospective rental agreement; and
	2. **Rent Arrears**. If the applicant is seeking assistance for past rent for which they are in arrears:
		1. Copies of the notice(s) of past rent due;
		2. Documentation detailing the past rent due, accrual of any interest charges and/or penalties, and the total amount in arrears;
		3. Name and current address of the Landlord to whom payment must be made.
	3. **Utility Costs Arrears**. If the applicant is seeking assistance for past utilities for which they are in arrears:
		1. Copies of the notice(s) of past Utility Costs due;
		2. Documentation detailing the past Utility Costs due, accrual of any interest charges and/or penalties, and the total amount in arrears;
		3. Name and current address of utility provider to whom payment must be made.
	4. **Current Rent or Rental Deposit.** If the applicant is seeking assistance for a current Rent payment or Rental Deposit:
		1. Name and current address of the Landlord to whom payment must be made.
	5. **Current Utility Costs.** If the applicant is seeking assistance for current Utility Costs:
		1. Copy of utility bill showing utility costs due; and
		2. Name and current address of utility provider to whom payment must be made.
	6. **Commitment to Use for Permissible Purposes**. Applicants requesting Financial Assistance through the Program must sign a waiver, acknowledging their commitment to utilize their Financial Assistance only for the intended purpose, prior to receiving assistance from the HPA Program.
	7. **Employment Verification.** If employed, applicant must provide verification of employment in the form of a paystub, dating back no more than thirty (30) calendar days from the date of Applicants submittance of Application or verification of eligibility requirements.
	8. **Release of Information.** Applicant must sign a release of information to allow BPHD to obtain and share data necessary for Applicant to participate in the HPA Program.
	9. **Verification of initial eligibility requirements.** Applicant must provide verification of competed initial eligibility requirements prior to receiving any assistance from the HPA Program.
	10. **Verification of secondary eligibility requirements.** Applicant must provide verification of completed secondary eligibility requirements prior to receiving any additional assistance from the HPA Program. Verification of secondary eligibility requirements must be submitted at the time of every request from Applicant to be eligible receive additional funds from the HPA Program.
5. **Additional Payments**
6. If a Recipient who has already received assistance from the HPA Program, and more than six (6) months have elapsed since assistance was last received, the Recipient must submit a new application for additional Financial Assistance.

**SECTION VII. PROGRAM MANAGEMENT**

1. **Maintenance of and Access to Records**
2. BPHD must create and maintain a set of files for the HPA Program separate from all other BPHD programs. Any Recipient who also participates in another BPHD program must have a separate file maintained specifically for the HPA Program.
3. BPHD may copy relevant documents from a Recipient’s existing file under a separate BPHD program so that the Recipient does not need submit the same documentation twice, provided that the copied documentation for the HPA Program is kept separately with all other HPA Program files.
4. BPHD shall maintain records and financial documents sufficient to support compliance regarding the eligible uses of funds granted by OHCS.
5. The State of Oregon, or its authorized representatives, shall have the right of access to the records (electronic and otherwise) of BPHD to conduct audits or other investigations.
6. BPHD shall maintain records for a period of six (6) years after all funds have been expended or returned to OHCS.
7. **Reporting Requirements**
	1. BPHD must maintain and submit Recipient data as required by OHCS. BPHD is required to enter client and service data into the Service Point Homeless Management Information System (“HMIS”) and is responsible for acquiring and documenting informed written consent from program participants and protecting program participant’s confidentiality. BPHD shall review the information entered or submitted through OHCS online reporting systems for any errors and completeness.
	2. **Privacy Requirements**. BPHD shall establish data privacy and security requirements for the information required for the use of HPA Program Funds. The data privacy and security requirements must—
		1. Include appropriate measures to ensure that the privacy of the individuals and households is protected;
		2. Provide that the information, including any personally identifiable information, is collected and used only for the purpose of submitting reports in compliance with this Policy; and
		3. Provide confidentiality protections for data collected about any individuals who are survivors of intimate partner violence, sexual assault, or stalking.
8. **Compliance with Applicable Laws and Regulations.** BPHD will comply with all applicable laws and regulations in carrying out housing activities funded by the OHCS grant designed to prevent and reduce homelessness.
9. **Relocation for Misplaced Tenants.** In the case that an existing tenant must vacate a property that has been acquired by BPHD to assist in providing housing to a Tribal Member, BPHD must-
	1. Comply with applicable local eviction and tenant/landlord laws.
	2. Provide assistance to the effected tenant in acquiring permanent housing.
	3. Notify the effected tenant if they will have the opportunity to return to the facility.
	4. BPHD must comply with OHCS and their reporting requirements regarding Relocation for Misplaced Tenants.
10. **Fraud Prevention.** BPHD and BPHD staff will apply reasonable fraud-prevention procedures in distributing Financial Assistance under the Program. In doing so, BPHD will investigate and address potential instances of fraud or the misuse of funds that it becomes aware of.

**SECTION VIII. USE AND MANAGEMENT OF FUNDS**

1. Use of Funds. BPHD understands and agrees that HPA Program Funds may only be used for the purposes set forth in the OHCS Grant agreement, as amended. HPA Program Funds will be used to pay for the services set out in this Policy to the maximum extent permitted by law. BPHD will require all HPA fund Recipients to attest to the same, but BPHD need not obtain documentation evidencing the use of HPA Program Funds by Applicants and Landlords
2. **Financial Management of HPA Program Funds**. HPA Program Funds shall be accounted for separately from other BPHD funds.
3. **Administrative** **Costs**
	1. BPHD may not use more than fifteen (15%) percent of the amount of the HPA Program Funds that BPHD receives for administrative costs attributable to providing Financial Assistance and Housing Stability Services, as defined above, to Eligible Households.
	2. HPA Program Funds may not be used for any administrative costs other than to the extent allowed under OHCS guidelines.
4. **Collaboration** **and** **Preventing Evictions**
	1. BPHD may collaborate with other assistance providers with overlapping or contiguous areas to develop consistent or complementary terms of their programs and to coordinate in their communications to minimize potential confusion regarding assistance. BPHD is encouraged to reduce burdens for Applicants seeking assistance from multiple grantees across different jurisdictions.
	2. BPHD may develop partnerships with courts that adjudicate evictions for nonpayment of rent to help prevent evictions and develop eviction diversion programs. For example, BPHD may consider: (1) providing information to judges, magistrates, court clerks, and other relevant court officials about the availability of assistance under the HPA Program; (2) working with eviction courts to provide information about assistance under the HPA Program to tenants and Landlords as early in the adjudication process as possible; and (3) engaging providers of legal services and other housing stability services to assist households against which an eviction action for nonpayment of rent has been filed.
5. **Cost Sharing.** Cost sharing or matching funds are not required to be provided by BPHD.