

UTAH PAIUTE TRIBAL **HOUSING AUTHORITY**

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1. Eligibility, Admission & Occupancy Policies & Procedures

Policy Statement

The Board of Commissioners of the Utah Paiute Tribal Housing Authority (UPTHA) recognizes the need to set forth the approach for determining eligibility and admission to housing owned and operated by the UPTHA . The Board also recognizes the need to establish occupancy standards for housing units owned, operated or managed by the UPTHA.

All of the procedures regarding eligibility, admission and occupancy are to be in compliance with Title II of the Native American Housing and Self-Determination Act (NAHASDA) and the Final Rule (24 CFR 1000) implementing NAHASDA. The procedures are intended to be fair and equitable to all applicants and residents participating in UPTHA programs.

1. Definitions

Adjusted Income

1. The term `adjusted income' means the annual income that remains after excluding the following amounts:

(A). YOUTHS, STUDENTS, AND PERSONS WITH DISABILITIES- \$480 for each member of the family residing in the household (other than the head of the household or the spouse of the head of the household)-

- (i) who is under 18 years of age; or
- (ii) who is 18 years of age or older and a person with disabilities or a full-time student.

(B). ELDERLY AND DISABLED FAMILIES- \$400 for an elderly or disabled family.

(C). MEDICAL AND ATTENDANT EXPENSES- The amount by which 3 percent of the annual income of the family is exceeded by the aggregate of-

- (i) medical expenses, in the case of an elderly or disabled family; and
- (ii) reasonable attendant care and auxiliary apparatus expenses for each family member who is a person with disabilities, to the extent necessary to enable any member of the family (including a member who is a person with disabilities) to be employed.

(D). CHILD CARE EXPENSES- Child care expenses for the care of children under the age of 13 to the extent necessary to enable another member of the family to be employed or to further his or her education.

(E). EARNED INCOME OF MINORS- The amount of any earned income of any member of the family who is less than 18 years of age.

(F). TRAVEL EXPENSES- Excessive travel expenses, not to exceed \$25 per family per week if a full time commuting student is taking at least 12 credits. Excessive travel expenses for a permanent employee driving 30 miles roundtrip to and from the place of employment.

(G). CHILD SUPPORT PAYMENTS – Payments ordered by Federal, State or Tribal Court.

Admission

1. Admission means admission to occupy housing units owned or managed by the UPTHA.

Anniversary Date of Lease

1. The day of the year on which the Dwelling Lease was initially executed.

Annual Income

1. The definition of Annual Income shall be “The anticipated income from all sources received by the Family head and spouse (even if temporarily absent) and by each additional member of the Family, including all net income derived from assets, for the 12 month period following the effective date of initial determination or reexamination of income. Annual income is as defined as HUD Section 8 Programs, 24 CFR Part 5, Subpart F.
2. If an applicant or participant’s annual income is sporadic and not consistent from one year to the next (farming, firefighting, etc.), the UPTHA may use the average annual income earned over the most recent three (3) years when determining eligibility and calculating monthly payments.

Dependent

1. A member of family household (excluding foster children), other than the Head of Household or spouse, who is under 18 years of age or is a disabled person or is a full-time student.

Designated for Elderly or Persons With Disabilities

1. Any development, including any building within a mixed-use redevelopment, that was designated for occupancy for the elderly or persons with disabilities at its inception or, although not so designated, for which the UPTHA gives preference in tenant selection for all units in the development, or for a building in a mixed-use development, to elderly or persons with disabilities.

Drug Related Activity

1. The term ‘drug-related activity’ means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use, of a controlled substance (as such term is defined in section 102 of the Controlled Substances Act).

Elderly and Near-elderly Families

1. The terms ‘elderly family’ and ‘near-elderly family’ mean a family whose head (or his or her spouse), or whose sole member, is an elderly person or a near-elderly person, respectively. Such terms include two or more elderly persons or near-elderly persons living together, and one or more such persons living with one or more persons determined by the UPTHA Resident Services Coordinator to be essential to their care or well being.

Elderly Person

1. The term ‘elderly person’ means a person who is at least 62 years of age.

Family

1. The term ‘family’ means:
family includes, but is not limited to, a family with or without children, an elderly family, a near-elderly family, a disabled family, a single person, as determined by the Indian Tribe.

Harassment

1. Verbal or physical threats to Housing Authority Employees.

Head of Household

1. The member of the Family listed on the application for occupancy as the Head of Household and who signs the Dwelling Lease. Head of Household must be 18 years of age or older with the exception of emancipated minors.

Grievance

1. Any complaint against a decision of the UPTHA that is allowed in accordance with the UPTHA's grievance procedures.

Indian

1. The term 'Indian' means any person who is a member of an Indian tribe.

Indian Area

1. The term 'Indian area' means the area described in the UPTHA Indian Housing Plan.

Indian Tribe

1. The term 'Indian tribe' means a tribe that is a federally recognized tribe.
2. The term 'federally recognized tribe' means any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians pursuant to the Indian Self-Determination and Education Assistance Act of 1975.

Live-In-Aide

1. A person who resides with an elderly family and who:
 - (1). is determined by the UPTHA to be essential to the care and well-being of the elderly family;
 - (2). is not obligated for support of the elderly family; and
 - (3). would not be living in the unit except to provide necessary supportive services.

Low Income Family

1. The term 'low-income family' means a family whose income does not exceed 80 percent of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

Median Income

1. The term 'median income' means the greater of-
the median income for UPTHA Indian area, which the Secretary shall determine;
or
the median income for the United States that shall be an appendix to these procedures.

NAHASDA

1. The Native American Housing Assistance and Self-Determination Act passed by the U.S. Congress in October 1996.

Near Elderly Person

1. The term 'near-elderly person' means a person who is at least 55 years of age and less than 62 years of age.

Occupancy Standards

1. Standards established by the UPTHA governing the allowable size of a family occupying a particular size of dwelling unit.

Persons with Disabilities

1. The term 'person with disabilities' means a person who-
(1) has a disability as defined in section 223 of the Social Security Act;
(2) is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment which-
 (a) is expected to be of long-continued and indefinite duration;
 (b) substantially impedes his or her ability to live independently; and
 (c) is of such a nature that such ability could be improved by more suitable housing conditions; or
(3) has a developmental disability as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act.

Such term shall not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency

syndrome. Notwithstanding any other provision of law, no individual shall be considered a person with disabilities, for purposes of eligibility for housing assisted under NAHASDA, solely on the basis of any drug or alcohol dependence

Pets

1. Pets shall be kept in strict adherence with the adopted policies and any applicable local laws and regulations.

Rent

1. An amount of money to be paid monthly to the UPTHA by participants in the UPTHA's rental housing programs.
2. Rent shall be determined by taking 30% (10% for elderly families or persons with disabilities) of the participant's adjusted annual income and dividing by 12.
3. The minimum amount of rent a participant shall have to pay is \$0.

4. Maximum Rents

- a. For applicants approved to participate in the UPTHA low-income rental program after the adoption of this policy, the maximum rent (per month) for each rental unit managed by the UPTHA shall be 25% of the HUD Established Fair Market Rent Rate. Elders 10% adjusted income.
- b. When recertified, current tenants whose annual income exceeds 80% of the national HUD Established Median Income limits will pay (65%) of the average fair market rent rate for the five counties included in the UPTHA Indian service area. The fair market rates shall be included as an appendices to this policy & shall be updated annually.

5. Minimum Rents

- a. The minimum rent (monthly payment) for each rental unit managed by the UPTHA will be \$60.00
- b. A tenant whose "adjusted gross income" is less than \$11,000 will be charged the minimum rent.
- c. When recertified, monthly rent will be 30% of a tenants "adjusted monthly income" which may be less than the minimum rent.

Secretary

1. The term 'Secretary' means the Secretary of the U.S. Housing and Urban Development.

Tribal Member

1. An enrolled member of the Paiute Indian Tribe of Utah.

Unauthorized Non-Family Resident

1. Occupant of a Unit who is not a member of the Family, as specified in the Dwelling Lease and whose presence in the Unit has not been authorized by the UPTHA.

Unit

1. The residence (apartment, duplex, house, etc.) owned and/or managed by the UPTHA and rented to an eligible family. The size of the unit is determined by the number of bedrooms and may be from zero bedrooms to four bedrooms.

UPTHA

1. Utah Paiute Tribal Housing Authority

Violent Criminal Activity

1. Violent criminal activity means a conviction in federal, state, or tribal court at any time during a person’s life for murder, non-negligent manslaughter, kidnapping, maiming, incest, arson, criminal sexual conduct, or assault with intent to commit murder; or conviction in federal, state, or tribal court for assault with a dangerous weapon, assault resulting in serious bodily injury, burglary or robbery; or conviction in a federal, state, or tribal court of drug related criminal activity. The UPTHA will take into consideration the length of time since the last evidence of such activity, and the record of rehabilitation efforts on behalf of the family member.

Visitor

1. A person temporarily visiting in a dwelling unit with a family for a period of not more than fourteen (14) days during any 6 month period. Persons residing longer than fourteen (14) days, without the prior permissions of the UPTHA shall be determined to be an unauthorized non-family resident. The repeated presence of additional persons in the unit and/or their use of the unit for purposes such as receiving mail may be cause for the family’s Dwelling Lease to be terminated.

2. Eligibility

- a. Fairness and non-discrimination

1. Eligibility for programs and admission to units operated by the UPTHA shall be fair at all times and in all respects. The Board of Commissioners and UPTHA employees shall be fair and

impartial in selecting people to participate in programs of the UPTHA. They are prohibited from making determinations based in whole or in part on family ties, political views, or personal bias.

2. Pursuant to the NAHASDA law and regulations, the UPTHA will comply with the following nondiscrimination requirements, as applicable:
 - (1) The Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and HUD's implementing regulations in 24 CFR part 146
 - (2) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and HUD's implementing regulations at 24 CFR part 8.
 - (3) The Indian Civil Rights Act (Title II of the Civil Rights Act of 1968; 25 U.S.C. 1301-1303).

(b). Tribal & Indian Preference

Notwithstanding the other provisions of this section or this Policy, UPTHA will give preference in admissions to members of the respective Bands of the Paiute Indian Tribe of Utah. The order and application of these preferences shall be set forth elsewhere in this Policy.

b. Application

1. When necessary, the announcement of UPTHA affordable housing opportunity programs shall be publicized by posting of announcements at the UPTHA and Tribal offices or by direct mail to tribal members;
2. All applications for admission to UPTHA housing programs shall be in writing on a form provided by the UPTHA which shall include, at a minimum, the date of application, name and contact information for the applicant, and the name of the program(s) in which the applicant seeks to participate.
3. Applicant shall be required to pay a fee for a background check. A background check will be conducted by UPTHA in determining eligibility and again prior to occupying a unit after being selected.

c. Eligibility Criteria

To be eligible for rental housing programs operated by the UPTHA an applicant must meet the following requirements:

- (1). Qualify as a Family. Single persons who are employed a minimum of 30 hours per week shall be defined as a family ONLY in the UPTHA Rental Assistance Program.
- (2). Meet the Low-Income requirements.
- (3). Demonstrate that they are willing and able to meet the obligations of participating in the program, including being able to pay the established minimum rent.

(4). If an applicant or a member of the applicant's household listed on the application is registered on the National Sex Offender, or the State of Utah Sex Offender list, the applicant will be determined ineligible.

(5). The Executive Director shall notify an applicant that they are ineligible in accordance with the criteria described in this policy.

(6) Any person who applies for or is receiving housing assistance and verbally or physically harasses or threatens a UPTHA employee may be determined to be ineligible for any further assistance. The Executive Director may determine applicants ineligible because of harassment of UPTHA employees. Applicants or participants determined ineligible due to harassment are entitled to file a grievance in accordance with the UPTHA established Grievance Policies and Procedures.

(7) Applicants are required to update their applications at least annually in order to remain on the waiting lists. If an applicant fails to update their application, the applicant will be removed from the Waiting List and their application placed in the 'inactive file'.

(8) Families are required to provide Social Security Numbers for all family members age 6 and older prior to admission, if the Social Security Administration has issued them a number.

(9) No family will be admitted who has an outstanding debt with any Housing Authority, until such debts have been paid in full. No repayment agreement for an outstanding debt with any Housing Authority, Landlord or TDHE will be accepted as substitution for payment in full.

(10) No Family will be admitted who has a member that has a history of engaging in:

- a. Drug related Activity
- b. Violent Criminal Activity

(11) The UPTHA will not admit any family who has a member who has been convicted of drug related or violent criminal activity within the past two (2) years prior to the date of application. Also, before being admitted, the family will have to successfully participate in the UPTHA's Rental Assistance Program for two (2) consecutive years.

(12) The UPTHA will make a reasonable effort in determining the suitability of a family for admission to its housing programs. Such efforts may include, but not necessarily be limited to, previous housing program participation with the UPTHA, references from other previous landlords, credit reports and criminal background checks.

(13) After being determined eligible, prior to occupancy, applicants must participate in training in the following areas:

- (1). Explanation of the low rent program.
- (2). Community resources and services.
- (3) Property care and maintenance

(4) Budgeting and Money Management

(5) Fire Safety

d. Receipt of Applications and Determination of Eligibility

1. This section sets forth the basic steps that are to be taken in obtaining and verifying information from applicant families for the purposes of determining whether they meet the conditions of eligibility for participation.

2. Establishing Waiting Lists

(1) A waiting list will be maintained for each applicant.

(2) If the number of Families on the waiting list is such that there is no reasonable prospect that additional applicants could be housed within the next year, the UPTHA may suspend the taking of additional applications in the category affected.

(3) The pool of active applications may be kept current by performing a “purge” of the waiting list one or more times a year by requiring all persons on the waiting list to respond to a mailing.

3. Procedure Governing Receipt of Applications

(1) Applications are to be accepted from all federally recognized enrolled Indian families seeking participation in UPTHA programs.

(2) The application constitutes the basic record of each Family applying for participation. Each applicant, therefore, will be required to supply the information requested on the application and to sign the application, attesting to the information provided.

(3) The application, together with all other material relating to the Family’s eligibility, preference ranking, etc., is to be maintained in an active file classified as “Eligible Applicants” for each participant who has not been found ineligible or whose application has not been withdrawn.

4. Determination of Eligibility

a. If an applicant is determined by the UPTHA to be eligible but the UPTHA has determined that there are no vacancies, the UPTHA shall place the Family on the appropriate waiting list in the area they requested according to the date and time the application was received by the UPTHA.

b. If, during the application interview or subsequent verification process, verification shows that the applicant is not eligible, the applicant is to be given written notification and classified as ineligible. Applicant would be ineligible for housing if the applicant owns or has owned a HIP (Housing Improvement Program) home or has had a Mutual Help home conveyed

to them by the UPTHA or unless otherwise approved by the Board of Commissioners after consideration of all relevant circumstances.

c. The application, together with sufficient information as to the reasons for the determination, is to be maintained for three (3) years in a file of "Ineligible Applicants".

d. All applicants determined ineligible shall be notified promptly in writing of this determination and the reasons therefore. The notification shall state the applicant has the right to request an informal hearing with the Executive Director in accordance with the housing authority's grievance policy. The Executive Director shall enclose a copy of the UPTHA's grievance policy with the notification of ineligibility.

e. If, after conducting an informal hearing, the UPTHA upholds the initial determination of ineligibility, the applicant shall again be notified in writing of same as outlined in the grievance policy.

f. The UPTHA shall retain for three (3) years the original application, notification letter, applicant's response (if any) and any record of any informal hearing and statement of final disposition.

3. Admission

a. Tenant Selection

1. Transfers

(1) Transferring an existing family to a vacant home is allowed, and may be required when:

a. the number of members of a family has changed so that the home occupied is no longer appropriate, the family may be allowed to move to a vacant home of appropriate size if available.

b. a family has verifiable medical reasons which demonstrate that the home occupied is not appropriate or cannot be modified to meet the needs of the family, the family may be allowed to move to a more appropriate home. The family's physician must verify these medical reasons in writing.

c. a family has verifiable medical reasons that demonstrate that they have a need to be closer to medical facilities they may be allowed to move to a home in the UPTHA Indian service area closer to such facilities. The family's physician must verify these medical reasons in writing.

d. a family lives in a home that has been modified for accessibility to a person with a disability or a home designated for the elderly, and the family has no persons with disabilities or elderly family members, respectively, the family will be required to move to another home. This possibility shall be explained to any family moving into a specially designated home and shall be documented with an amendment to the Dwelling Lease.

- e. all amounts owed to the UPTHA are paid, including an amount equal to an UPTHA estimate of the cost necessary to make the family's existing home ready for occupancy.
- f. a family secures employment in another area or is enrolled as a full time student in another area.

3. Selection From the Waiting List

Applicants will be selected from the waiting list in the following order (by application date and time within each category):

- (1) Applicants who have at least one family member who is an enrolled member of the Paiute Indian Tribe of Utah, in the following order:
 - a. Elderly or Disabled Paiute Indian Tribe of Utah Tribal Members.
 - b. Band Members requesting housing on their respective Band Lands will have preference over other Tribal Members (i.e. Shivwits Band Members will have preference over other Tribal Members on Shivwits Band Land).
 - c. Indians who are members of a Federally Recognized Indian Tribe.

4. Selection Preference for Elderly Families

Within each preference category, Elderly families, as defined in this Policy, shall have preference for all homes designated for the Elderly.

5. Selection Preference for families with a Disabled or Person(s) with Disabilities.

Within each preference category families with a member who is disabled or a person with a disability shall have preference over all other families for homes that are designated accessible to persons with disabilities.

- (1) Applicants claiming qualification for disabled preference must certify that they do in fact qualify. This certification from a state or federal agency of the family's physician will be accepted unless it can be verified that the applicant is not qualified.
- (2) Before a lease is executed, the applicant will be required to provide verification of qualification for a preference, based upon the applicant's current status. Current status is determined without regard to whether the applicant's qualification status has changed since the certification.

b. Occupancy Standards and Assignment of Homes

1. To avoid overcrowding, homes are to be leased in accordance with the Occupancy Standards set forth below, except that such standards may be waived when necessary to achieve or maintain full occupancy.

<u>Number of Bedrooms</u>	<u>Minimum Persons</u>	<u>Maximum Persons</u>
1	1	3
2	2	5
3	3	7
4	4	9
5	5	*
6	6	*

* At UPTHA's Discretion

2. **Notification of Families**

(1) When the UPTHA learns of an impending vacancy, the following action will be taken:

- a. Transfers will be given first priority. Family's needing transfer from one unit to another will be offered first priority with the exception of extenuating circumstances and Board approval will be required.
- b. The family selected according to this Policy shall be notified when the home is available for occupancy.
- c. If the selected family does not respond to the UPTHA's notification of a vacancy and/or does not provide the necessary information within 10 working days, the next family on the waiting list shall be selected.
- d. Except as noted below, Tribal Members and other applicants who reject an offer will be placed at the bottom of the waiting list. The following circumstances will not count as rejections:
 1. The home is not of the proper size and type and the applicant would be able to reside there only temporarily, for example, a unit accessible to persons with disabilities.
 2. The applicant is unable to move at the time of the offer and presents clear evidence that substantiates this to the UPTHA's satisfaction; for example, a doctor verifies the applicant is physically unable to move at this time.

c. **Leasing of Homes and Use of the Housing Unit**

1. A Dwelling Lease, hereinafter referred to as "Lease" is to be entered into between the UPTHA and each tenant Family. The Lease is to be kept current at all times and is to reflect the obligations of the Families and the UPTHA.
2. Execution of the Lease
 - (1) The Head of Household and the authorized UPTHA staff person shall execute a Lease in duplicate prior to actual admission. Every family member 18 years of age and older must sign the Dwelling Lease. The copy shall be given to the tenant and the original shall be filed in the permanent record folder established for the Family.
 - (2) If the signer of the Lease ceases to be the Head of Household, the Lease is to be voided and a new one executed and signed by the new Head of Household; provided that the Family is eligible for continued occupancy as set forth in this Policy.
 - (3) If for any reason a Family transfers to a different unit, the existing Lease is void and a new Lease shall be executed for the home into which the Family is moving. A new security deposit will be required.
3. Termination of Lease
 - (1) Termination of any Lease shall be according to the terms stated within the Lease and according to the procedures stated in the UPTHA Rent & Homebuyer Payment & Collection policy.
 - (2) For any lease termination, any damages to a unit, including damages resulting from drug-related activity, shall be charged to the tenant and become part of the termination proceeding.

4. Occupancy

a. Use of Unit

1. A condition for selection as a tenant is that the family agrees to use the unit as their principal residence during the term of the Lease. Failure by the Tenant to use the unit as the principal place of residence shall constitute grounds for termination of the Lease. The Board of Commissioners may make exception to this term under certain circumstances (i.e. an applicant must relocate temporarily because of education, employment, or medical reasons).
2. The tenant shall abide by all provisions of this policy, the Lease, and all applicable State Statutes.
3. The UPTHA shall evict residents who are convicted of violent or drug related criminal activity. Refer back to violent or drug related definition in this policy.
4. The UPTHA may terminate the tenancy of any resident for any activity engaged in by the resident, any member of the household of the resident, or any guest or other person under the control of the resident, that –

(A) threatens the health or safety of, or right to peaceful enjoyment of the premises by, other residents or, employees of the owner or manager of the housing:

(B) threatens the health and safety of, or right to peaceful enjoyment of their premises by persons residing in the immediate vicinity of the premises; or

(C) is convicted of violent criminal activity or drug related activity on the premises.

5. For any lease termination or eviction, any damages to a unit, including damages resulting from drug-related activity, shall be charged to the tenant and become part of the lease termination or eviction proceeding.
6. The tenant may request prior written approval from the UPTHA to operate a small business in the unit. The UPTHA may grant this authority when the tenant provides the following assurances and may rescind this authority upon violation of the following assurances:
 - (1) The unit will remain the tenant's principal residence;
 - (2) The business activity will not disrupt the basic residential nature of the housing site or disturb others;
 - (3) The business will not require permanent structural changes to the unit that will adversely affect a future tenant's use of the unit;
 - (4) The tenant will adhere to all applicable State and local Statutes.

b. The Certification Process

1. Family income and composition will be certified at the time of application and again just prior to admission into UPTHA programs to determine and verify eligibility to receive assistance. Re-certification of this information will be required at the request of the UPTHA. Failure of a tenant to recertify in accordance with this paragraph is grounds for lease termination and eviction.
2. All changes in income and family composition must be reported to the UPTHA Office within thirty (30) days of the change. (I.e. birth of child, child leaving home, foster children, death, divorce etc.) Any necessary adjustment to rent will be made the 1st of the following month..

c. Utilities

1. All Utilities including water, sewer, trash, gas, electric, propane etc. are the responsibility of the tenant. In the case of a Utility Company that will not take the utility out of the Landlords name (i.e. Cedar City Water Department) that utility bill will be paid directly to the UPTHA by the Tenant and will be included in the Total Tenant Payment (TTP).
2. Before a tenant can move into a unit the utilities must be transferred into the Tenants name or in a member of the Tenant Households name. Verification that this has been done must be given to the UPTHA before move-in.

3. Utilities must be turned on at all times during occupancy to assure a decent, safe and sanitary environment for the Tenant Family.

d. Recertification Procedures

1. The Head of the Family is required to complete a Personal Declaration form and provide the information necessary to determine family composition and annual income prior to being recertified. The information provided on the Personal Declaration form shall be applicable for 15 months.
2. Any participant paying \$0 monthly payments up to the maximum monthly payment shall be recertified annually.
3. Each participant paying the maximum monthly payment shall be recertified at least every 2 years.

e. Repayment Agreements

1. Minimum monthly Repayment Agreement payments, when the UPTHA agrees to enter into any such Agreement, shall be 1/12th of the amount owed, or \$25.00, whichever is greater. However, the minimum monthly repayment amount shall be reduced when necessary in order that the monthly payment plus the Family's Total Tenant Payment shall not exceed fifty percent (50%) of the Family's Gross monthly income.
2. Repayment Agreements shall be due and payable per the same terms and conditions as apply to the payment of monthly Rental Payments.
3. If a tenant defaults on a promissory note repayment agreement, the full balance of the Agreement is due and payable. Eviction procedures will be initiated unless the tenant makes arrangements with the Executive Director to bring the repayment agreement current.

f. Termination

1. Termination of Lease or Homeownership Agreements shall be conducted in compliance with the UPTHA's Rent & Homebuyer Collection and Eviction Policies.
2. For any lease termination or eviction, any damages to a unit, including damages resulting from drug-related activity, shall be charged to the tenant and become part of the lease termination or eviction proceeding.

g. Request for information

Any request for information contained in an application for housing assistance including a tenant or homebuyer file shall be submitted in writing to the Executive Director, who shall forward the request to UPTHA’s Attorney. The attorney shall respond to the request in a timely manner.

Appendix

Utah Paiute Tribal Housing Authority

Income Limits

The figures below are 80% to 99% of the median income limits. Use the **greater** of the **local** HUD established income limits **or** the **national** HUD established income limits to determine whether an applicant meets the definition of low-income. Income limits and Fair Market Rent Rates are an appendix to this policy.

National HUD established median income

(HUD Notice PDR-2014-02 ISSUED JANUARY 20, 2015)

Number of persons in family	1	2	3	4	5	6	7	8
80% of median income	\$35,784	\$40,896	\$46,008	\$51,120	\$55,642	\$55,210	\$59,299	\$67,478

65% of the average HUD established Fair Market Rent for the 5 counties included in the UPTHA Indian service area.

http://www.huduser.org/portal/datasets/fmr/fmrs/FY2015_code/select_Geography.odn

Tenants 81%-99% of The National HUD Established Medium Income

When tenants become over 80%-99% over the HUD Established Median Income limits they will pay 100% of the HUD Average Fair Market Rent Rate of the 5 county service area.

2 Bedroom Unit - \$406.00 3 Bedroom Unit - \$582.00 4 Bedroom unit - \$644.00

Tenants over 100% of The National HUD Established Medium Income

When tenants become 100% over the HUD Established Median Income limits they will pay 100% of the HUD Average Fair Market Rent Rate of the 5 county service area.

2 Bedroom Unit - \$625.00

3 Bedroom Unit – 895.00

4 Bedroom Unit – 995.00

Maximum Rents (below the 80% of Median Income)

2 Bedroom Unit - \$160.00

3 Bedroom Unit – \$225.00

4 Bedroom Unit - \$ 250.00

5 Bedroom Unit - \$285.00

Latest Revision 2/19/15