

HOME OWNERSHIP PROGRAM

Chapter 10 - Selection of Homeownership

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10.1 Policy Statement

This policy shall apply to those homebuyers that are selected to participate in the homeownership programs operated by the Duck Valley Housing Authority (“DVHA”), after October 26, 1996. These homeownership programs may be modeled after the 1937 Housing Act Mutual Help (MH) Program. This policy shall also apply to new construction as well as existing unit acquisitions/purchases.

10.2 Selection of Eligible Families

Upon a unit becoming available, whether by attrition or from a new project, the DVHA staff shall check the waiting list to locate the eligible applicant who is first in line, based on the date of application. The potential placement family will then be offered the unit and will be required to respond in accordance with this policy.

10.3 Selection Procedures

10.3.1 Prior to selection for an available unit a final review will be conducted by the DVHA Executive Director, or designee, who shall ensure the verification of all applicant information (e.g., including but not limited to, proof of tribal enrollment, verification of employment, payroll, government benefits, expenses) for purposes of program eligibility.

10.3.2 DVHA staff shall submit to the Board of Commissioners (“BOC”), the list of eligible applicants and a list of applicants found to be ineligible. Both lists shall be recorded in the BOC meeting minutes.

10.3.3 If two or more eligible applicants qualify, the date and time of receipt of a completed application shall determine which family is selected.

10.3.4 Neither DVHA staff nor a member of the BOC shall participate in eligibility determinations of an immediate family member or where there is a potential or perceived conflict. In the event a conflict arises the conflicted DVHA staff or board member, shall be recused from participation.

10.4 Applicant Notices

10.4.1 **Notice of Selection.** Once selected, the DVHA will provide the applicant selected to participate in a homeownership program with a written Notice of Selection that includes:

- i. Statement that the family has been selected for homeownership at a site specific;
- ii. Statement that the family will be advised at a later date of a time and place for training and counseling activities;

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- iii. Date and time of execution of the Home Ownership Agreement (“HOA”) except that if Applicant is not available on that day it is their responsibility to schedule a new signing date;
- iv. Name of person(s) who must execute the HOA;
- v. Statement that the family’s eligibility – shall be subject to continued eligibility verification requirements at the time of the execution of the HOOA;
- vi. For new construction, estimated completion date;
- vii. Instructions regarding acceptance/rejection of offer, and
- viii. Statement that the Notice of Selection is not a contract and does not constitute a legal obligation to the homebuyer.

10.4.2. Notice of Non-Selection. Whether DVHA is selecting participants for a new project or an existing available unit, Applicants found to be ineligible, shall receive a Notice of Non-Selection, promptly, in writing [25 U.S.C. 4101, Section 207, (b)(3)(B), 25 USC 4137] that includes the following:

- i. The reasons for the non-selection;
- ii. Statement that the Applicant may appeal to the BOC following the Appeals Process in Ch. 12.

10.4.3. If the Applicant meets the admission requirements; he/she will remain on the waiting list for future consideration in the event of vacancies or additional available housing, but it is the responsibility of the Applicant to update the application, annually.

10.5 File Set-Up. For each offer to enter into a Home Ownership and Occupancy Agreement, (HOOA) a file shall be established that includes a record of the date of the offer, location of the unit, and the applicant’s response.

10.6 Acceptance. The Applicant will be given ten (10) business days to accept or reject the unit, in writing. If a family either fails to accept or rejects the unit, they will maintain their position on the waiting list and the next eligible family will be notified and given the same opportunity to accept or reject the unit. (*see* Section 9.2.6, Chapter 9, Management of Waiting Lists)

10.7 Refusals. The Applicant that rejected the unit the first time will be given one more opportunity to accept or reject the next available unit. If they reject both offers, this will constitute two refusals and the family will be moved to the bottom of the waiting list. The date of the final refusal or failure to respond will become their new application date. (*see* Section 9.2.7, Chapter 9, Management of Waiting Lists)

10.8 Execution of the Home Ownership and Occupancy Agreement (HOOA). Once the offer has been accepted the Applicant shall meet with the Homeownership Counselor at the scheduled time identified in the Notice of Selection to execute the HOOA. At this time

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the Homeownership Counselor will go over the HOOA, policies, rules of occupancy and the mandatory “move-in” process, below, with the Homebuyer.

10.9 Participant’s Move-In

- 10.9.1 Prior to occupying a homeownership unit, the Applicant, accompanied by DVHA staff will complete a Move-In Inspection to record the condition of the home. The DVHA shall maintain a record of the inspection.
- 10.9.2 In addition to participating in homeownership counseling activities, a Applicant must, prior to occupying the unit, attend a Participant’s Move-In Meeting at DVHA.
- 10.9.3 The Participant’s Move-In Meeting shall include a review of the selected Applicant’s responsibilities as a homebuyer.
- 10.9.4 Deficiencies are to be corrected by the contractor in accordance with the particular construction contract. The Homebuyer has a responsibility to contact DVHA as soon as any deficiencies are known.
- 10.9.5 In the event of an acquisition DVHA staff shall ensure the correction of all deficiencies prior to awarding a home.

10.10 Verification of Information

Because it is critical that eligible applicants meet the minimum income requirements in order to make the monthly house payments; it is necessary for DVHA to verify all required information at the time of application, after selection, and prior to any move-in activities.

Changes in income or family status can affect eligibility in either a positive or negative manner. It is the responsibility of the DVHA to assure that the awarding of the unit is appropriate and in compliance with federal regulations and DVHA policies.