

Move-In Rental Assistance Program – Tribal Funds

Policy:

The Port Gamble S’Klallam Tribal Council and Housing Board of Commissioners desire to provide an expanded Move-In Rental Assistance Program for Port Gamble S’Klallam Tribal members, that do not qualify for income restricted Rental Assistance Program through the Port Gamble S’Klallam Housing Authority’s Indian Housing Plan. The Move-In Rental Assistance Program is a General Welfare Program and benefits distributed under it to eligible applicants, qualify as a Safe Harbor exclusion from federal income taxes. This program is subject to budgetary constraints.

Eligible applicants may receive one-time assistance for move-in costs, with a maximum of \$5,000.00 per eligible applicant.

Record of assistance will be tracked, and internal Audit will conduct a review of the records within 90 days of completion of the program.

The Move-In Rental Assistance Program will be Administered in Compliance with Title 31.02.02 of the Tribal Code and Section 139E of the Internal Revenue Code of 1986, and Therefor Shall be Excluded from the participant’s Gross income for Federal Income Tax purposes and State Benefit Calculation.

Definitions:

1. Rental Assistance Application
 - a. An application form that is to be submitted to the PGSHA by an applicant, with completed information, signatures, and requested attachments.
2. Annual Income
 - a. For this policy, annual income shall be the same as annual income as defined for HUD’s Section 8 programs described at 24 CFR Part 5, Subpart F, Section 5.609 (except when determining the income of a homebuyer for an owner-occupied rehabilitation project, the value of the homeowner’s principal residence may be excluded from the calculation of net family assets). The most current definition of annual income shall be attached as an addendum to this policy.
 - b. Section 4 (9) of NAHASDA states that the following amounts may not be considered as income:
 - i. Any amounts not actually received by the family.
 - ii. Any amounts that would be eligible for exclusion under Section 1613(a)(7) of the Social Security Act. This relates to certain amounts received from the United States that are attributable to underpayments of benefits due for one or more prior months under the Social Security Act.
 - iii. Any amounts received by any member of the family as disability compensation under Chapter 11 of Title 38, United States Code, or dependency and indemnity

compensation under chapter 13 of such title. This relates to amounts received from the Department of Veterans Affairs by a family for service-related disabilities of a member of the family, and survivor benefits.

- c. Also, the following sources of income shall not be included as income:
 - i. Per Capita payments derived from oil and gas or other trust revenues actually received by tribal members, but only to the extent that such payments, in the aggregate, exceed \$2,000 per person per year;
 - ii. Per Capita payments derived from judgement funds awarded by the Indian Claims Commission or the United States Court of Claims, but only to the extent that such payments, in the aggregate, exceed \$2,000 per person per year; and
 - d. If an applicant or participant's annual income is sporadic and not consistent from one year to the next (firefighting, fishing etc.), the PGSHA may use the average annual income earned over the most recent three (3) years when determining eligibility and calculating monthly payments.
3. Tribal Member Family
 - a. A family with at least one member of the household who is a member of the PGST.
4. Rental Unit Inspection Form (Appendix 5)
 - a. A document used during a rental unit inspection to check for any health or safety issues prior to approving the rental unit.
5. Move-In Cost Rental Assistance Contract
 - a. A document that provides the agreed upon terms and conditions between PGSHA, a landlord, and an applicant for benefits distributed under this program.
6. Tenant Rental Agreement
 - a. A document giving rise to a participant's right of occupancy to the rental unit, such as a lease with a landlord.
7. Move-In Costs
 - a. First month's rent, security deposit if eligible, and last month's rent if required.

Requirements:

1. Applicant must be a tribal member family and 18 years or older;
2. Must complete a Rental Assistance Application;
3. The household's annual income must be over 80% of the current year's area median income.

Procedures and Tasks:

1. PGSHA will make available applications in person, by email, fax, online or other social media mechanisms.
2. PGSHA shall verify all information that is provided. Incomplete applications will be deemed ineligible.
3. An applicant will be sent written notification within 30 days of receipt of his or her completed application stating eligibility status.

4. PGSHA will conduct an inspection of the rental unit and complete a Rental Assistance Inspection Form for records.
5. PGSHA will draft a Move-In Cost Rental Assistance Contract, which all three parties (the landlord, applicant, and PGSHA) will sign.
6. Funds to be paid pursuant to this policy shall be paid to the owner or manager of the property, as applicable, and not to the participant.

Applicant Tasks:

1. Turn in a completed Rental Assistance Application to the PGSHA Office.
2. The applicant shall be responsible for searching for and selecting a rental unit.
3. The applicant shall provide a fully executed copy of the Tenant Rental Agreement. PGSHA will not be a party to or guarantor of any Tenant Rental Agreement.