



Standing Rock Housing Authority

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This RENTAL ADMISSIONS AND OCCUPANCY POLICY of the Standing Rock Housing Authority was adopted by Board action on August 19, 2013, Resolution #0_13. The effective date of this Policy is October 31, 2013.

RENTAL ADMISSIONS AND OCCUPANCY POLICY

This Rental Admissions and Occupancy Policy reflects the requirements of the Native American Housing Assistance & Self Determination Act (NAHASDA) of 1996. The Standing Rock Housing Authority (SRHA) shall abide by tribal law, NAHASDA, and applicable regulations in the operation of rental housing units. In addition, all rental units funded with low-income housing tax credits shall be operated in accordance with applicable federal law and regulations and the partnership agreements applicable to these projects.

SECTION IV - WAITING LISTS

4-1. Housing Waiting Lists.

In order to qualify and get on a housing waiting list, the Applicant and their household composition member(s) must meet the requirements of Section 3-1 and not be ineligible under Section 3-2 of this Policy. The Housing Authority shall maintain a separate waiting list for the following programs:

- a. Rental Units.
- b. Elderly. There will be an elderly waiting list for the Bear Soldier South Elderly and the Fort Yates Elderly complexes. To get on the elderly waiting list, individuals must fill out an application once they become eligible.
- c. Disability Accessible Units. The SRHA shall maintain a list of applicants with Disabilities who are eligible for a Disability Accessible Unit, or shall use some designation on the waiting list.

4-2 Waiting List Order.

Eligible applicants will be placed on the appropriate waiting list in the following order:

- a. By number of bedrooms based on the Household composition listed on the application, as set forth in Section 4-4.
- b. By district requested. Only one district may be requested.

- c. By Order of preference under Section 4-3 which shall be applied to all applicants irrespective of the date of application.
- d. By date of application.

4-3 Preference

The following Order of Preference shall be applied to eligible applicants on a waiting list for admission:

A. Transfers of Existing Tenants Based upon Changes in Eligibility.

Any current Tenant in the SRHA rental program required to transfer units based a Re-examination of Eligibility for Continued Occupancy or any reason that requires a different size or type of unit under this Policy shall take first preference in assignment of a unit, including transfers based upon a reasonable accommodation.

B. Police Officers. The Standing Rock Housing Authority Board of Commissioners may set aside housing units for assignment to Police Officers if a Memorandum of Agreement is in place with law enforcement regarding the assignment of units, including the requirement that units be assigned to Police Officers who will patrol in the district the unit is assigned in.

C. Combat Veterans who are Standing Rock Enrollees.

Standing Rock Enrollees who are considered combat veterans from any war, campaign or expedition for which a campaign medal has been authorized, and who have received an Honorable Discharge shall be given preference. The veteran must submit their DD-214 at the time of application. Combat Veterans shall receive preference over other veterans. This preference shall only be available for use once.

D. Veterans who are Standing Rock Enrollees.

Standing Rock Enrollees who are considered veterans, and who have received an Honorable Discharge shall be given preference. The veteran must submit their DD-214 at the time of application. This preference shall only be available for use once.

E. Standing Rock Enrollees.

Preference for the rental program shall be given to low-income families that are Standing Rock enrollees, after the preference for veterans has been applied.

F. Indian Families.

Preference for the rental program shall be given to low-income families that are Indian families, after the preference for veterans and the preference for Standing Rock Enrollees have been applied.

G. Assignment of Disability Accessible Unit. Persons with disabilities whose disability requires a unit that is disability accessible, as determined by the SRHA upon receipt of verification of eligibility for a disability accessible unit from a medical provider, shall be given preference in assignment of any unit designated as a disability accessible unit. If there is an applicant qualifying for this preference on the waiting list, they shall have first preference in assignment of a disability accessible unit.

4-4 Occupancy Standards.

The following standard will determine the number of bedrooms required to accommodate a family of a given size:

Bedroom Size	Number of Occupants	
	Minimum	Maximum
1	1	2
2	2	4
3	4	6
4	6	8
5	8	10

Two (2) persons shall normally occupy each bedroom, except in the following circumstances.

- a. A child of less than two years of age may occupy the same bedroom as the parents.
- b. Except for husband and wife, and children up to five years of age, persons of the opposite sex will not occupy the same bedroom.

In determining the number of bedrooms needed, the Authority will give consideration to sex and age of family members, and to physical health problems of family members.

If, during the re-certification process, it is determined that the family is no longer eligible for the unit, based upon family composition and bedroom size, the SRHA will require the tenant and their family to locate into a different Unit that is comparable to their particular family size. This may include an exchange between tenants.

4-5 Update of Waiting List.

Applicants must file an updated application if their family composition or information required on the application changes at any time. Mandatory transfers initiated by the SRHA shall take priority over the placement of applicants on the waiting list in housing units.

Current SRHA Tenants requesting a voluntary transfer to another unit will be placed on the waiting list by the date of their Transfer request, which shall be treated as an application for purposes of the Admissions Policy. Tenants who seek to transfer to another unit must also meet the eligibility requirements found in Section 2-1 and not be ineligible under Section 2-2, at the time of selection and regardless of their eligibility status in their current unit.

Tenants who seek to transfer to another District will be placed on the waiting list for the District they seek to transfer to, by the date of their application.

4-6. Changes in Waiting List.

A. Applicant Changes. When an applicant on the waiting list requests a larger or smaller unit due to their composition size, in the same district, they will be added to that list with their original application date. Should an applicant decide to change the district they originally requested on their application, their name will be added to that list by the date of their request, which means, they will lose their original application date.

B. SRHA Changes. The SRHA may add applicants determined to be eligible to the waiting list, remove applicants determined to be ineligible, or make any other change permitted under this Policy.

4-7. Elderly Units Special Admissions and Waiting List Provisions.

A. Near Elderly Family Eligibility.

In those instances where an Elderly unit is available and there are no elderly family applicants available to occupy the Unit, the SRHA may place a near-elderly family with a disability as defined in Section I into the Unit.

B. Care Attendant

One care attendant or a married couple with no children, who are determined to be essential to the care or well-being of an elderly will be allowed to live with them, but will not be included on the family composition nor will their income be included on the annual income. The care attendant(s) must meet the eligibility requirements of Section 3-1 and cannot be ineligible under Section 3-2 of this Policy. Once the elderly individual vacates the Unit, the care attendant must also vacate the Unit.

SECTION V - SELECTION OF APPLICANTS

5-1 Screening of Applicants on the Waiting List.

The SRHA must screen applicants on the waiting list no more than thirty (30) days prior to the assignment of housing. If the applicant is deemed ineligible for housing of the size or type based upon changes in household composition, the SRHA will place the applicant on the waiting list for the unit size and type they qualify for in the order of their original application date. If the applicant no longer qualifies for a housing unit because of changes in household income, the SRHA will remove the applicant from the waiting list. The SRHA is required to notify applicants of any changes to the unit size they are approved for, or any determination of ineligibility once they are on the waiting list in writing by delivery to the address listed on the application by mail.

5-2 Low Income Housing Tax Credit Renovation and New Construction Units.

SRHA manages rental units that were constructed with low-income housing tax credits, under Section 42 of the Internal Revenue Code. The SRHA is required to maintain a certain number of units in each project for special needs, and for different income eligibility criteria than the criteria that apply to non-tax credit units. Eligibility for admission into a tax credit unit is dependent on separate eligibility criteria than the criteria that apply to non-tax credit units.

Applications for low-income tax credit rental housing are processed the same as all applications under this policy. The SRHA will screen all applicants for rental housing for eligibility for a unit. If the next unit available is a tax credit unit, and the applicant is determined to be ineligible for a tax credit unit because of the special conditions applicable to the Project on income, and special needs families restrictions, the applicant's name will remain on the waiting list with the same application date and they shall be considered for the next available unit for which they are eligible.

When applicants are originally placed on the waiting list, the SRHA shall note whether the applicant is initially eligible for a tax credit unit. Such designation is not binding on the SRHA as eligibility will be determined within thirty (30) days of the Unit Assignment.

5-3 Vacant Units Where No Applicants are on the Waiting List.

In those instances where the SRHA has exhausted its waiting list for a particular District based on bedroom size and number of occupants, the SRHA will search the entire waiting list and find the family that has been on the list for the longest, and offer that family a Unit in that particular District that is comparable to the bedroom and family size. If the family that is selected declines to accept a Unit in that particular District, the SRHA will go to the next family and so on until a family is located that accepts the Unit in that particular District.

5-4 Non-Discrimination Policy.

The Housing Authority shall not discriminate against applicants or display special preference other than set forth in this Admissions policy.

SECTION VI - NOTIFICATION OF SELECTED APPLICANTS

6-1 Written Notification.

The SRHA will notify each applicant selected for rental housing by a written Notice of Selection which will include the following statements:

- a. That the applicant has been selected.
- b. That the applicant must contact the SRHA within five (5) working days to determine if they income qualify for the unit.
- c. Once the applicant contacts the SRHA within the given timeframe, and the SRHA has verified the applicant qualifies for the unit, the SRHA shall send a second written notice to the applicant, the Notice of Unit Assignment. The applicant has five (5) working days to respond to the Notice of Unit Assignment and accept the unit, and conduct orientation.
- d. The required deposit with the utility company and the security deposits must be paid within five (5) working days from the date the Notice of Unit Assignment is sent to the applicant, and must be paid prior to occupancy of the unit.

6-2 Failure to Respond or Complete Information.

If an applicant is offered a unit and fails to respond to the SRHA within the time required, the applicant will forfeit the unit and their name will be removed from the waiting list.

If an applicant is offered a unit, accepts it but fails to pay the required deposits within the required time period, the applicant will forfeit the unit and will be put at the bottom of the waiting list.

If an applicant is offered a unit and decides not to accept a particular unit, they must write a statement within five (5) working days declining the unit, and they will keep their place on the waiting list. If a statement is not received, the applicant's name will be removed from the waiting list.