



NAHASDA Essentials

Virtual Training

August 25-27, 2025



This training is offered by the U.S. Department of Housing and Urban Development (HUD) and the Office of Native American Programs under a cooperative agreement with FirstPic, Inc.

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Introductions

Charles Anderson and Rodney
Clements

Please tell your name, Tribal affiliation,
where you work and your position



HELLO

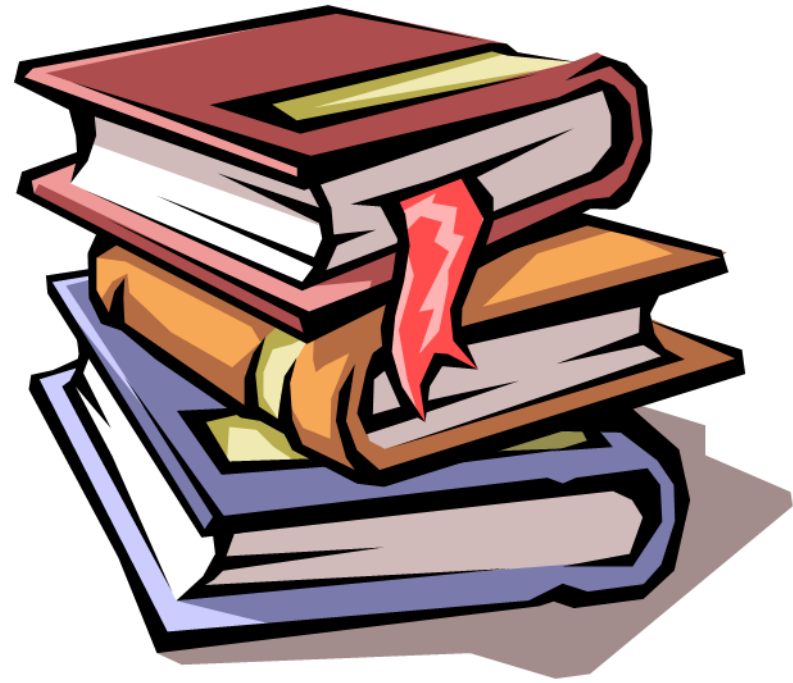
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Course Objectives

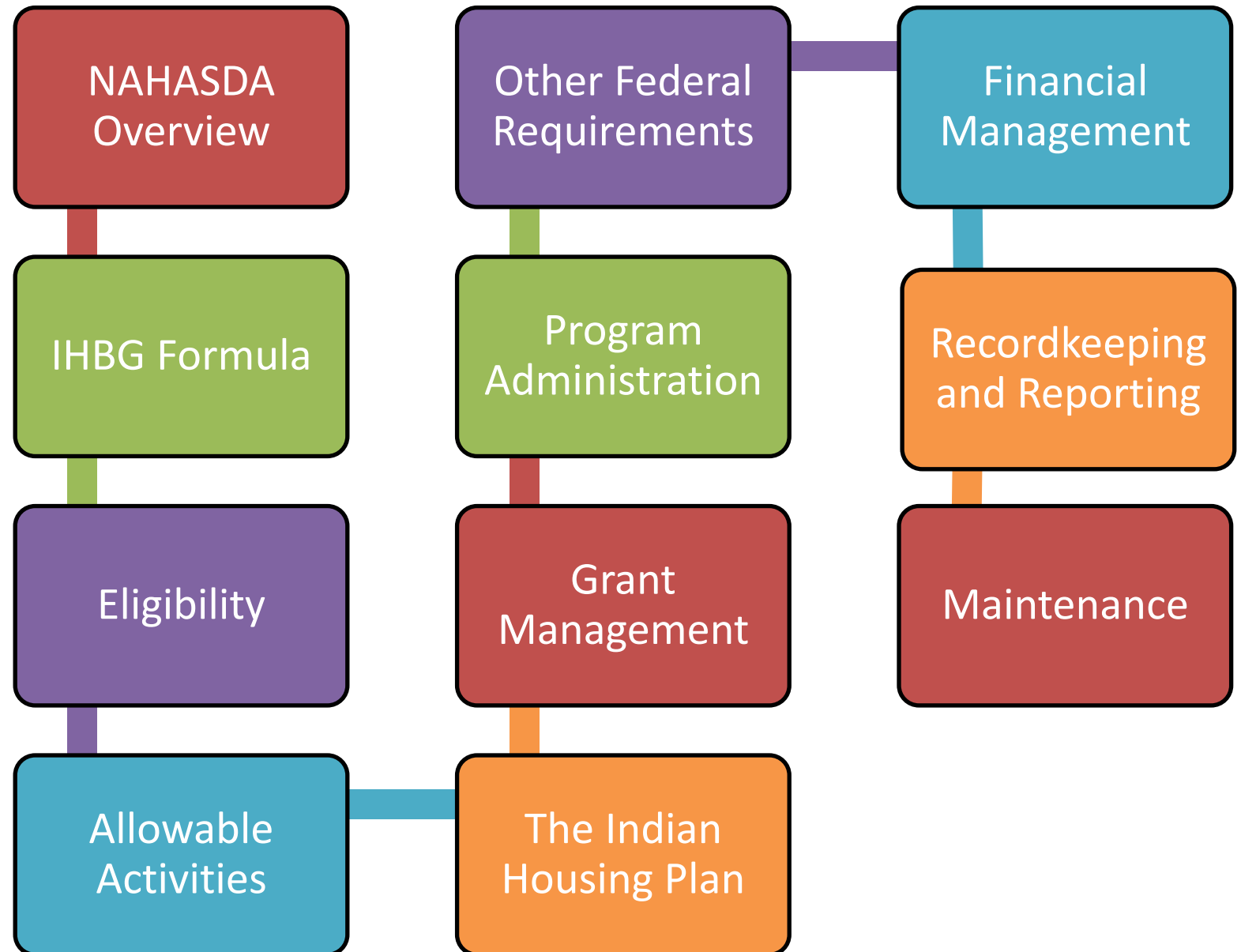
1. Provide a basic summary of the NAHASDA program rules and key elements
2. Answer common questions
3. Walk through grants process from formula to reporting
4. Discuss key issues in implementing IHBG
5. Share techniques across Tribes

Course Structure

- Agenda
- Exercises and breaks
- Training manual
- PowerPoint



Agenda



Section 1: NAHASDA Overview

NAHASDA Objectives

1. Assist and promote affordable housing;
2. Ensure better access to mortgage markets and promote self-sufficiency;
3. Coordinate activities with Federal, State, and local activities to further economic and community development;
4. Plan for and integrate infrastructure resources with housing development; and
5. Promote the development of private capital markets.

NAHASDA Key Points

- Signed into law October 1996
- Provides a block grant to Tribes or their Tribally designated housing entity (TDHE) that is used for activities defined in an annual “Indian Housing Plan” which the Tribe and TDHE will write and submit to HUD for review.
- Defines TDHE as either the existing IHA which was established “for the purposes of the U.S. Housing Act of 1937...(and)...is acting...as the Indian Housing Authority for the Tribe...(and) is not an Indian Tribe.” OR an entity other than the tribal government authorized by the tribe to receive grant amounts and provide assistance under the Act.

NAHASDA Key Points – Cont.

- Allows the Tribe/TDHE to determine their own programs based on member need
- Permits the Tribe to set a maximum rent that does not exceed 30 percent of the monthly adjusted income.
- Requires the Tribe to use the block grant to develop, operate, and maintain current housing units.
- Distributes the grant through an allocation formula developed under negotiated rule making.
- Authorizes a federal loan guarantee program
 - Tribe can use, with the secretary's approval, a federal guarantee, to undertake affordable housing activities, that does not exceed 5 times the amount of the Tribe's block grant.

NAHASDA Key Points – Cont.

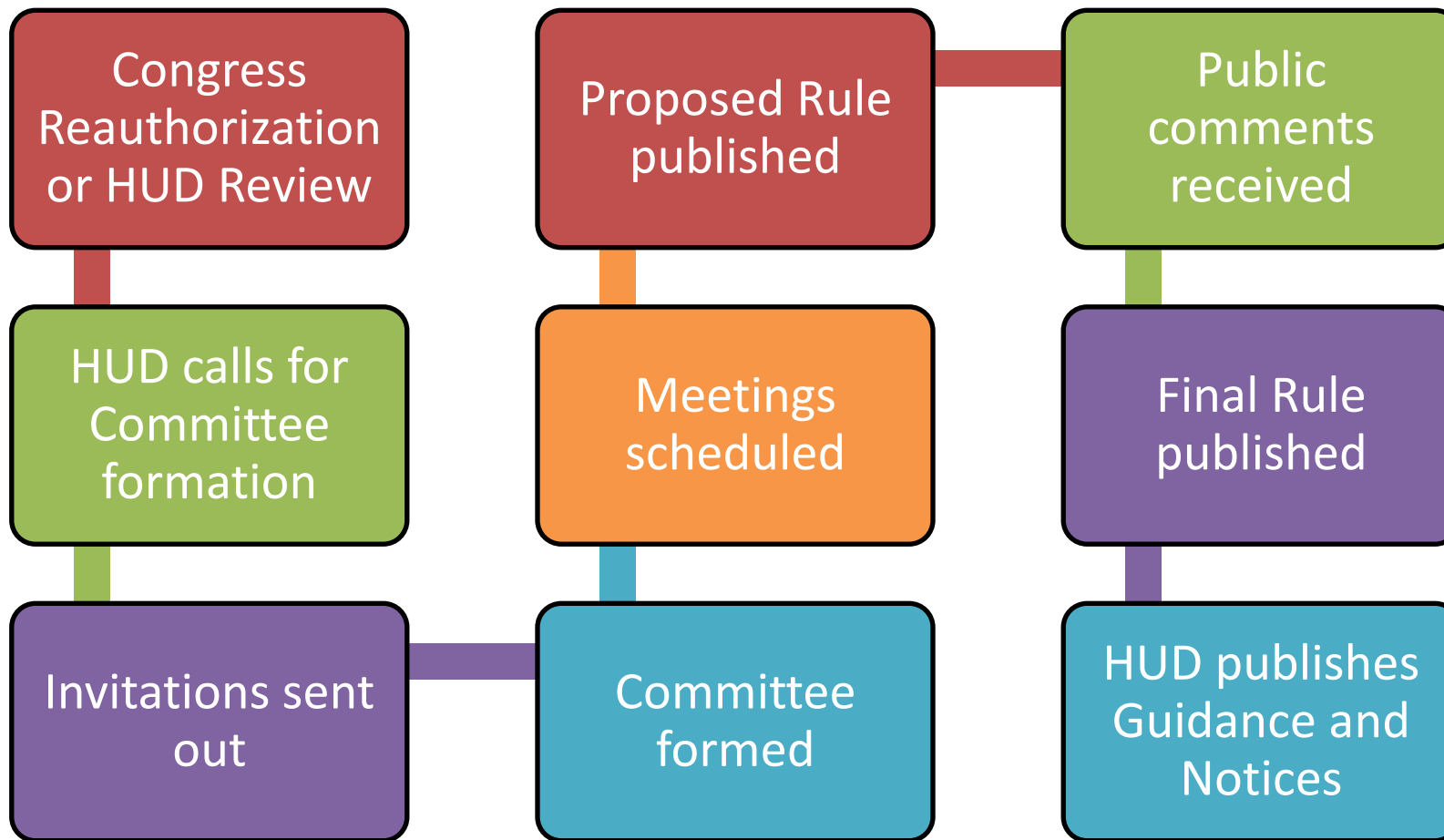
- Reauthorizes the Indian Housing Loan Guarantee Program.
- Extends leasehold interest in trust or restricted land for housing purposes to 50 years.
- Expands affordable housing opportunities.
- Specifically addresses families who are non-low-income.
- Requires HUD to monitor for non-compliance and to take steps when noncompliance occurs.

Negotiated Rulemaking

- Statute mandates negotiated rulemaking process
- Requires HUD to use negotiated rulemaking when developing regulations and allocation formula
- Regulations developed by committee of Tribal and HUD representatives
- Approved documents from each Session as well as documents produced by work groups may be found at <http://ihbgrulemaking.org/index.php>



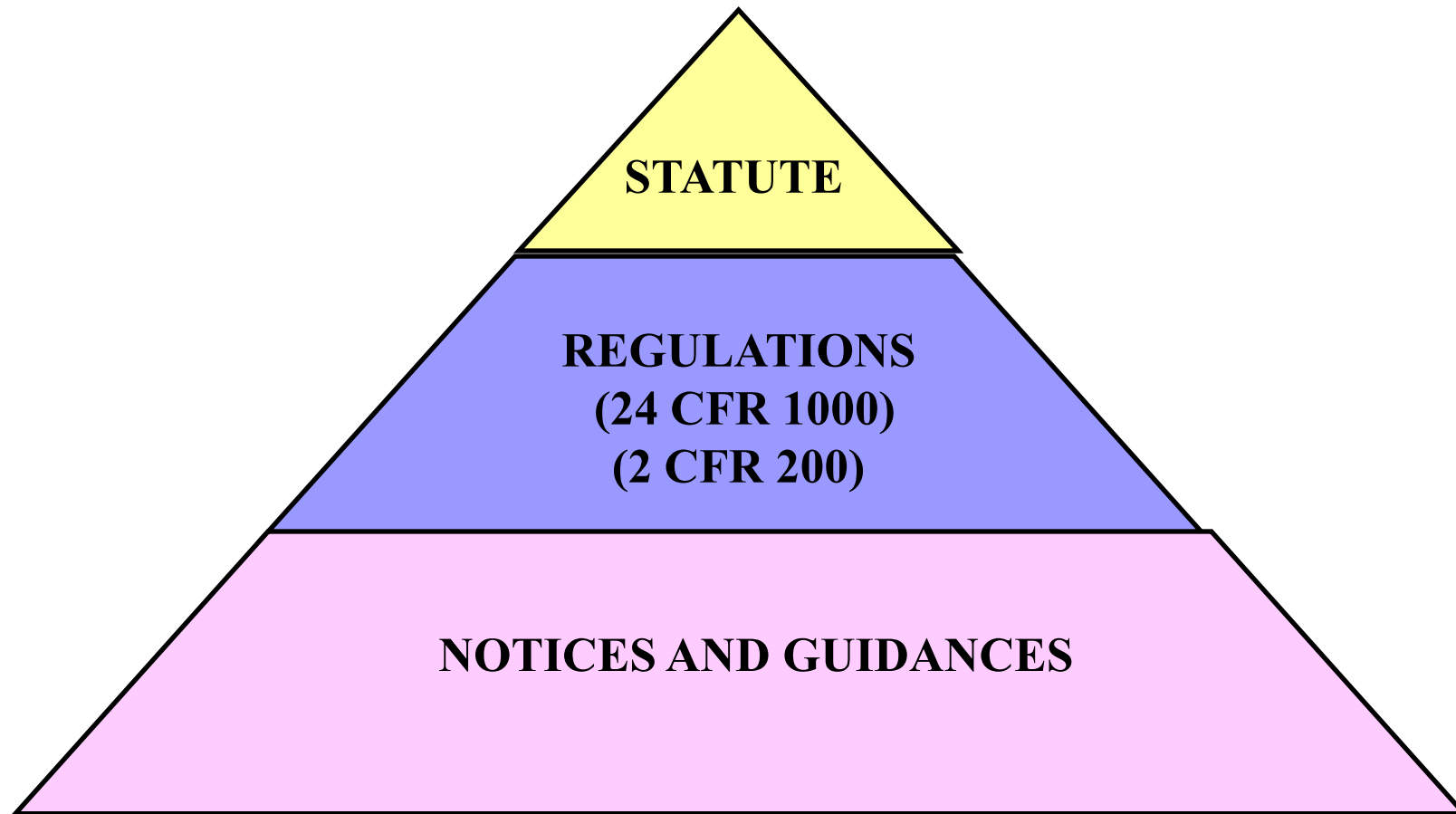
Negotiated Rulemaking Process



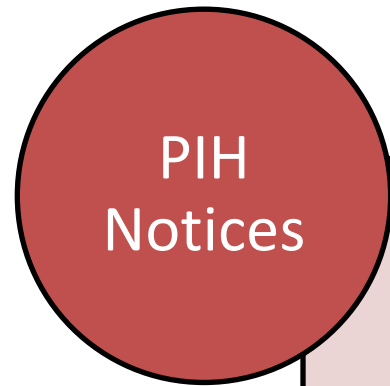
Reauthorization History

- Originally implemented and funded in FY 1999.
- From 1999 to 2008, NAHASDA was funded without reauthorization.
- Reauthorization Act of 2008 resulted in Negotiated Rulemaking (6 meetings) and publication of Final Rule in 2010.
- HUD Review of Formula Allocation resulted in Negotiated Rulemaking (9 meetings) and publication of Final Rule in 2016.
- Currently there are ongoing efforts to permanently authorize NAHASDA.

NAHASDA Administration Hierarchy



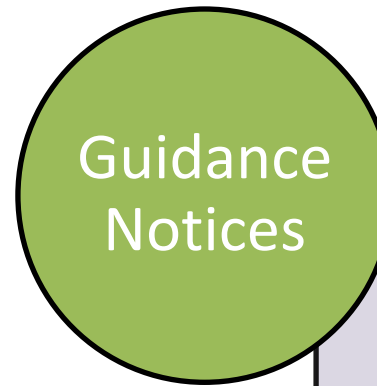
Other Resources



PIH
Notices

Issued by Assistant
Secretary for
Public/Indian
Housing

Provide guidance
and clarification;
can also be used to
implement statutory
changes



Guidance
Notices

Issued by Deputy
Assistant Secretary
for Native
American Programs

Provide guidance
and clarification

NAHASDA Statutory Sections

- Title I: Block Grants and Grant Requirements
- Title II: Affordable Housing Activities
- Title III: Allocation of Grant Amounts
- Title IV: Compliance Audits and Reports
- Title V: Termination of Assistance
- Title VI: Federal Guarantees for Financing
- Title VII: Other Housing Assistance
- Title VIII: Housing Assistance for Native Hawaiians

NAHASDA Regulatory Sections (24 CFR 1000)

- Subpart A: General Objectives
- Subpart B: Affordable Housing Activities
- Subpart C: IHP/APR
- Subpart D: Allocation Formula
- Subpart E: Federal Guarantees for Financing of Tribal Housing Guarantees
- Subpart F: Recipient Monitoring Compliance, Oversight, & Accountability

NAHASDA Program Implementation

- Requires submission of a 1-year housing plan, for the upcoming program year
- Indian Housing Plan (IHP) details activities such as: development, rehabilitation, acquisition, or credit counseling
- Allows the Tribe/TDHE to determine what programs they want to offer and allows for flexibility in determining how to operate and who to serve.

Key Program Elements

Formula

Eligible
Families

Eligible
Activities

Program
Administration

Financial
Management

Reporting and
Recordkeeping

NAHASDA Policy Issues

- Eligible Families
- Tribal Preference in Selection
- Applicable Income Limits
- Definition of Low-Income
- Definition of Gross Annual Income
- Eligible Activities
- Required Policies
- Personnel
- Maintenance
- Inspections
- Useful Life
- Uniform Relocation Assistance
- Conflict of Interest
- Procurement
- Total Development Costs (TDC)
- Financing

NAHASDA-Required Policies

Section 203 and 207 of NAHASDA requires that certain policies be adopted:

- Rents and Homebuyer Payments
- Eligibility for Admission
- Management and Maintenance
- Tenant and Homebuyer Selections



Other Required and Recommended Policies

- Program Policies
- Collections
- Grievances
- Personnel
- Travel
- Drug-free Workplace
- Criminal Background Checks
- Procurement
- Capitalization
- Disposition
- Inventory
- Investment
- Finance
- Cash Management

Section 2: IHBG Formula

Formula Purpose and Background

Allocates IHBG Funds

Developed as part of
Negotiated
Rulemaking

Intent: Make
equitable distribution
of annual
appropriations

Allocation is basis of
annual budget

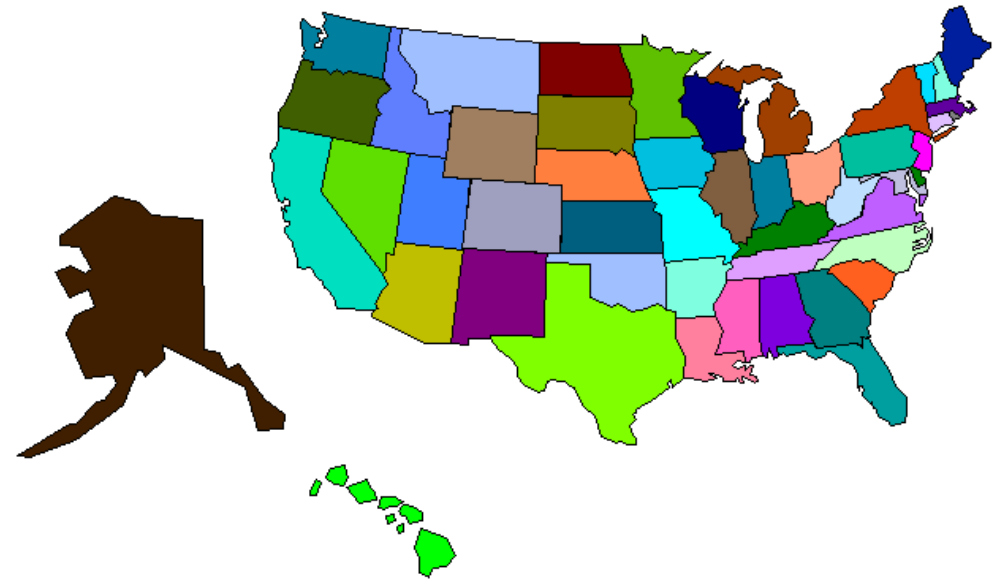
Formula Areas Are...

(24 CFR 1000.302)

1. Reservations
2. Trust Lands
3. Department of Interior Near-Reservation Service Areas
4. Oklahoma Tribal Statistics Areas (OTSA)
5. Congressionally Mandated Service Areas
6. State Designated American Indian Statistical Areas (SDAISA)
7. Tribal Designated Statistical Areas (TDSA)
8. California Tribal Jurisdictional Areas per Federal Court Judgment
9. Detailed Alaska Provisions

Indian Area vs. Formula Area

- **Indian Area** – reservations, trust lands, and statistical areas designated by a state or federal government for use by the Tribe
- **Formula Area** – Indian areas and other areas where Tribe is providing substantial housing services per 24 CFR 1000.302 as reflected in its IHP and APR.



Overlapping Formula Areas

- In cases where Tribes are *overlapped*, Needs data (population and household) for the entire Formula Area of all Tribes involved in the overlap are shared.
- If a Tribe's Formula Area is overlapped, the Tribe is likely receiving a share of the Needs data for areas beyond those listed as being part of the Tribe's Formula Area.
- For example, the Formula Area might be “the ____ Reservation and the balance of ____ County” whereby the Tribe is sharing the County with other Tribes.

Adding to Formula Area

- Tribe/TDHE must provide:
 - Proof that it has agreed to provide housing services pursuant to a Memorandum of Agreement(MOA) with the Tribal and public governing entity or entities of the area, or
 - Has attempted to establish such an MOA; and
 - Is providing *substantial* housing services and will continue to expend or obligate funds for substantial housing services as reflected in Indian Housing Plan and Annual Performance Report for this purpose.
- Substantial housing services are defined in 24 CFR 1000.302

Four Formula Components

1. Formula Current Assisted Stock (FCAS) - § 1000.316
2. Need - § 1000.324
3. 1996 Minimum - § 1000.340
4. Undisbursed IHBG Funds Factor (UDFF) - § 1000.342

Component 1:

Formula Current Assisted Stock (FCAS)

FCAS is Housing developed under the 1937 Act funds (before NAHASDA):

- Low Rent
- Mutual Help
- Turnkey III
- Section 8



1937 Act Housing

- Housing developed under the 1937 Housing Act (prior to NAHASDA)
- Must continue to be administered and maintained under NAHASDA
- Units included in inventory (FCAS) until conveyed or otherwise no longer in program
- NAHASDA funds are provided for this purpose

Units Not Eligible as FCAS

- Units built over the number specified in the original ACC for Projects with DOFA after October 1, 1997.
- Units not used as low-income housing dwelling units include:
 - Units used for non-dwelling purposes
 - Vacant units, unless being made available for occupancy
 - Units being used for VASH program
- Conveyance eligible, conveyed, or demolished units not rebuilt within one year.
- Units constructed with NAHASDA funds

FCAS

- Two elements of FCAS in formula
 - Operating subsidy
 - Modernization allocation
- FCAS adjusted by
 - FY96 national averages for Operating subsidy and Modernization allocation
 - Local costs and inflation adjustments

FCAS Most Recent Changes (PIH 2017-15)

- Removed reducing Section 8 units based on FCAS reductions
- Codified conversions policies & required reporting on formula response form (FRF)
- Clarified homeownership unit FCAS eligibility after becoming eligible for conveyance
- Clarified demolished & rebuilt unit eligibility

Demolished Units: 1000.318(e)

- A unit that is demolished pursuant to a planned demolition may be considered eligible as a FCAS unit if the unit is rebuilt within one year.
- If the unit cannot be rebuilt within one year because of relative administrative capacities and other challenges faced by the recipient, a one-time, one-year extension may be requested.
- Requests must be submitted in writing and include a justification for the request.

IHBG Formula and the IHP

- NO relationship between formula components used to determine allocation and activities you propose in your IHP
- For example, if your FCAS allocation is \$450,000, you can budget more or less than that amount to operate and maintain FCAS units.



Component 2: Need

- Seven Weighted variables
- Based on Decennial Census and American Community Survey (ACS) 5-year data
- Adjusted for local development costs



Need Component Weights - Need Factors (1000.324)	Weight
Housing Cost - AIAN Households with housing cost burden greater than 50 percent of formula annual income	22%
AIAN Households which are overcrowded or without kitchen or plumbing	25%
Housing Shortage - AIAN households with an annual income less than or equal to 80 percent of formula median income reduced by the combination of CAS and NAHASDA units	15%
AIAN households with income less than or equal to 30% of median income	13%
AIAN households with income 30% - 50% of median income	7%
AIAN households with income 50% - 80% of median income	7%
Total AIAN persons	11%

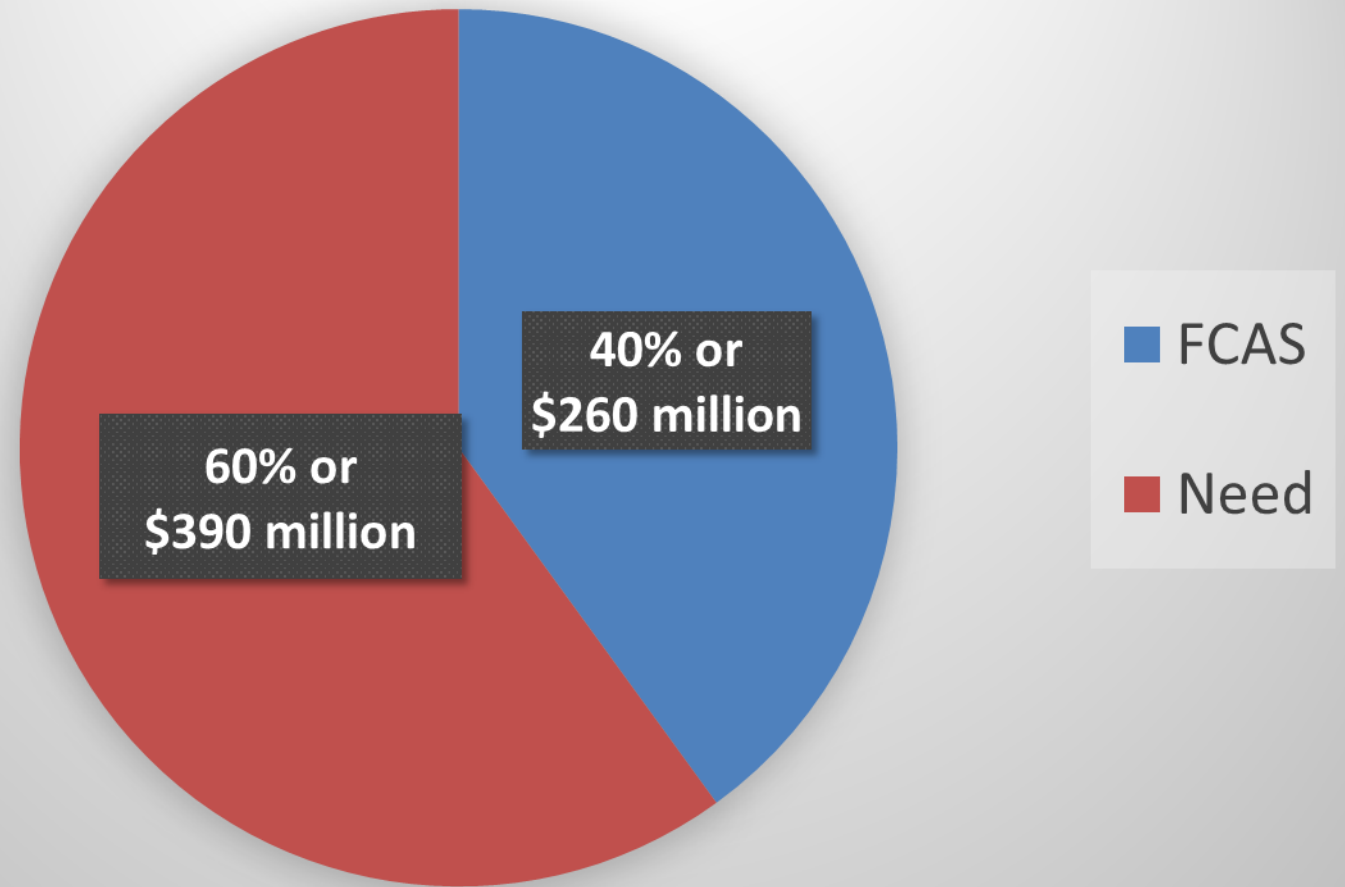
Step 1: Calculate FCAS allocation for each Tribe

Step 2: Total all FCAS allocations

Step 3: Subtract total allocated based on FCAS from total appropriation; this gives you total funds to be allocated based on need

Step 4: Allocate Need among Tribes based on census

IHBG = \$650 million (example)



Minimum Funding Levels

- Minimum Needs Funding (1000.328)
 - 0.007826 of Appropriation after set asides (FY 2025, \$86,947)
 - Must have FCAS Funding < \$200,000.
 - Must certify in IHP of having low-income households.
- Minimum Allocation (1000.329)
 - Based on lesser of \$3 million or available carry-over
 - Equal to .011547 of appropriation (in FY 2025, \$128,270)
 - If the funds are insufficient to fund all Tribes; the minimum is reduced.

Population Cap

To maintain fairness for all Indian Tribes, generally the AIAN data will not be allowed to exceed twice a Tribe's enrollment unless:

- It can show that it is providing housing assistance to substantially more non-member AIAN persons who are members of another federally recognized Tribe than it is to own members.
- The Tribal enrollment multiplier will be determined by the total number of AIAN persons the Tribe is providing housing assistance divided by the number of members the Tribe is providing housing assistance.
- For example, a Tribe which provides housing to 300 AIAN persons, of whom 100 are members, would then be able to receive an allocation for up to three times its enrollment if the AIAN population in the area is three or more times the Tribal enrollment.

Component 3: 1996 Hold Harmless

- A Tribe's IHBG funding is never reduced below its FY 1996 funding level.
- This is the amount the Tribe's IHA received in FY 1996 for operating and modernization subsidy.
- IHBG funding is adjusted to the amount received in FY 1996.
- This is a statutory requirement.

Component 4:

Undisbursed IHBG Funds Factor

- Provides adjustments for Tribes with
 - Initial allocation of \$5 million or more
 - Have undisbursed IHBG funds in LOCCS as of October 1 greater than the sum of their prior 3 years' initial allocation
 - Initial allocation will be reduced, and any amounts recovered will be redistributed via carry-over provisions

Formula Response Form (FRF)

- Sent electronically each year around June 1 and published on IHBGformula.com.
- Includes data to be used in formula and the estimated allocation amount for the coming FY.
- Corrections due 60 days after date of FRF (August 1, 2025).
- Census challenge deadlines specified in FRF (See FAQ Q6).
- Corrections must be submitted to the IHBG Formula Customer Service Center on FRF Appendices A-D.
- Final Allocations: Completed after the funding is appropriated.

FY 2023 Formula Response Form Indian Housing Block Grant Formula Data

U.S. Department of Housing
and Urban Development
Office of Native American Programs

OMB Approval No. 2577-0218
(exp. 07/31/2025)

Public reporting burden for the collection of information is estimated to average 30 minutes. This includes the time for collecting, reviewing, and reporting the data. The information will be used to allocate funds under the IHBG program. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

Indian Housing Block Grant Formula Data for the <TRIBE NAME>

This document provides notice to the Tribe and/or tribally designated housing entity (TDHE) of the data to be used in calculating its Indian Housing Block Grant (IHBG) program allocation for Fiscal Year (FY) 2023. It also provides an estimate of the Tribe's FY 2023 allocation.

Please carefully review your Tribe's data and report any changes and corrections to the IHBG Formula Customer Service Center as described below. All Tribes/TDHEs are responsible for reporting data changes and corrections. According to 24 CFR 1000.315(b), the Formula Response Form (FRF) is the only mechanism that a recipient shall use to report changes to the number of Formula Current Assisted Stock (FCAS). In addition, Tribes/TDHEs should use the FRF to report changes and corrections to the following:

- Formula Area.
- Overlapping Formula Areas.
- Tribal Enrollment and Formula Area Population Cap.

Submission Deadlines

The submission must be postmarked or faxed by **August 1, 2023**, for consideration in the FY 2022 allocation. Please postmark or fax changes and corrections with appropriate supporting documentation to the IHBG Formula Customer Service Center by **August 1, 2023**, for inclusion in the FY 2023 allocation. Please note that while HUD requires requests for formula changes to be submitted by August 1st, HUD may consider subsequent requests from Tribes that have been directly affected by changes resulting from other Tribes' requests submitted prior to the August 1 deadline. Subsequent requests received in prior FYs may be carried into future FYs if processing of such requests is not finalized in the current FY. For questions regarding appropriate documentation, please contact the IHBG Formula Customer Service Center at the address listed below.

The results of any successful changes to Fair Market Rent (FMR), Total Development Cost (TDC), and the U.S. Census Bureau Population Estimates data should also be submitted by August 1, 2023. Details on the procedures to be followed if you wish to challenge these data elements are contained in the Appendices to the most recent published document "*Challenging U.S. Decennial Census Data: Guidelines for the Indian Housing Block Grant Formula*." This document can be obtained from the IHBG Formula Customer Service Center or at: https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/codetalk/onap/ihbgformula.

The FRF also includes other data elements used to calculate the Needs component of the Formula. Tribes/TDHEs wishing to challenge these data elements should review the **Needs section** of this form. Each year, Tribes/TDHEs are reminded that March 30 is the deadline for the next FY's Census challenge. The Needs data in this document will include previously approved Census challenges, if still eligible for use in the FY 2023 allocation, as well as available Census data. If applicable, check the Needs section to verify that successful challenges have been incorporated. Needs data for FY 2023 is included in Attachment A

Previous editions are obsolete

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Form IHUD-4117 (7/19)

Reviewing FCAS Data

- Review the Formula Response Form.
- Report any corrections to unit counts, unit types, and actual/expected DOFA.
- Submitted corrections will be reviewed and HUD will inform the Tribe of the corrected unit counts.

Formula Response Form Appendices

- **Appendix A1** to report conveyance eligibility and conveyance of Formula Current Assisted Stock (FCAS).
- **Appendix A2** to report Date of Full Availability (DOFA) of FCAS.
- **Appendix A3** to report conversion of FCAS units.
- **Appendix A4** to report demolished and rebuilt FCAS units.
- **Appendix A5** to report all other FCAS changes.
- **Appendix B1** and **B2** to request additions to Formula Area.
- **Appendix C** to report enrollment in overlapping Formula Areas.
- **Appendix D** to report changes to Tribal enrollment or request a change to the population cap.

FY 2025 Final Allocation “Dear Tribal Letter”

- Provides basis for determination of final allocations, minimum allocations, and other formula elements
- Can be found through Codetalk at the following link:
https://www.hud.gov/sites/dfiles/PIH/documents/FY_25_Cover_Letter.pdf



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

May 13, 2025

Dear Tribal Leader:

I am writing to provide important information on your Tribe's Indian Housing Block Grant (IHBG) formula allocation for Fiscal Year (FY) 2025. The U.S. Department of Housing and Urban Development (HUD) provides this information annually to Tribes and their Tribally Designated Housing Entity (TDHE). The following documents are available on-line at: <https://ihbgformula.com/final-allocation-forms-fy-2025/>

- FY 2025 IHBG Allocation and Formula Data Sheets.
- FY 2025 IHBG Correction/Challenge Log: May 9, 2024, to April 1, 2025.

The FY 2025 IHBG formula allocations are based on an appropriation of \$1,111,000,000 pursuant to the Full-Year Continuing Appropriations and Extensions Act, 2025 (Public Law 119-4, signed March 15, 2025) plus \$8,638,884 in carry-over funds, less \$104,375 (the net amount after FY 2025 after allocation adjustments and repayments).

The IHBG Allocation and Formula Data Sheets contain your Tribe's FY 2025 final formula allocation, and the data used in its calculation. Also included on these sheets are any repayments and allocation adjustments collected or paid in the current fiscal year for over-funding or under-funding in prior fiscal years.

Please note that if your Tribe has entered into one or more repayment agreements with HUD, your total repayment amount will be shown on your Tribe's FY 2025 IHBG Allocation and Formula Data Sheet and will be automatically deducted from your Tribe's allocation. It is not necessary to manually deduct this amount from the published allocation. If your Tribe has agreed to a lump-sum repayment using previous year allocations or other funds, the amount will not appear on your Tribe's FY 2025 IHBG Allocation and Formula Data Sheet.

The Needs component of the formula was calculated using single-race and multi-race Census data. The amount of each Tribe's allocation was the greater of the two pursuant to the Full-Year Continuing Appropriations and Extensions Act, 2025. The Needs section of your Tribe's IHBG Allocation and Formula Data Sheet indicates which data was used to determine your Tribe's FY 2025 IHBG formula allocation.

www.hud.gov

Relevant IHBG Formula Notices

- [PIH 2017-14](#): Provides Tribes and TDHEs with information related to changes affecting the Needs data under the IHBG Formula (24 CFR 1000.330).
- [PIH 2017-15](#): Provides Tribes and TDHEs with information related to changes affecting the FCAS data under the IHBG formula (§ 1000.316 and § 1000.318(b) and (e)).
- [PIH-2017-16](#): Provides Tribes and TDHEs with an overview of regulatory changes affecting the IHBG formula.

Exercise 1:

Review of Formula Response Form

IHBG Formula Customer Service Center

- Calculates formula allocations
- Provides TA to recipients on formula
- Receives and process corrections and challenges
- 1-800-410-8808
- IHBGformula@firstpic.org



Section 3: Eligibility

Eligibility Requirements



© Can Stock Photo - csp11386999

Mandated NAHASDA Eligibility Requirements:

1. Annual income must be within HUD defined income limits (special exceptions apply).
2. Must be a Native American family (special exception applies).

Eligibility Criteria



Family



Income



Suitability

Persons Making up a Family

Indians

Non-
Indians

Elderly

Near
Elderly

Disabled

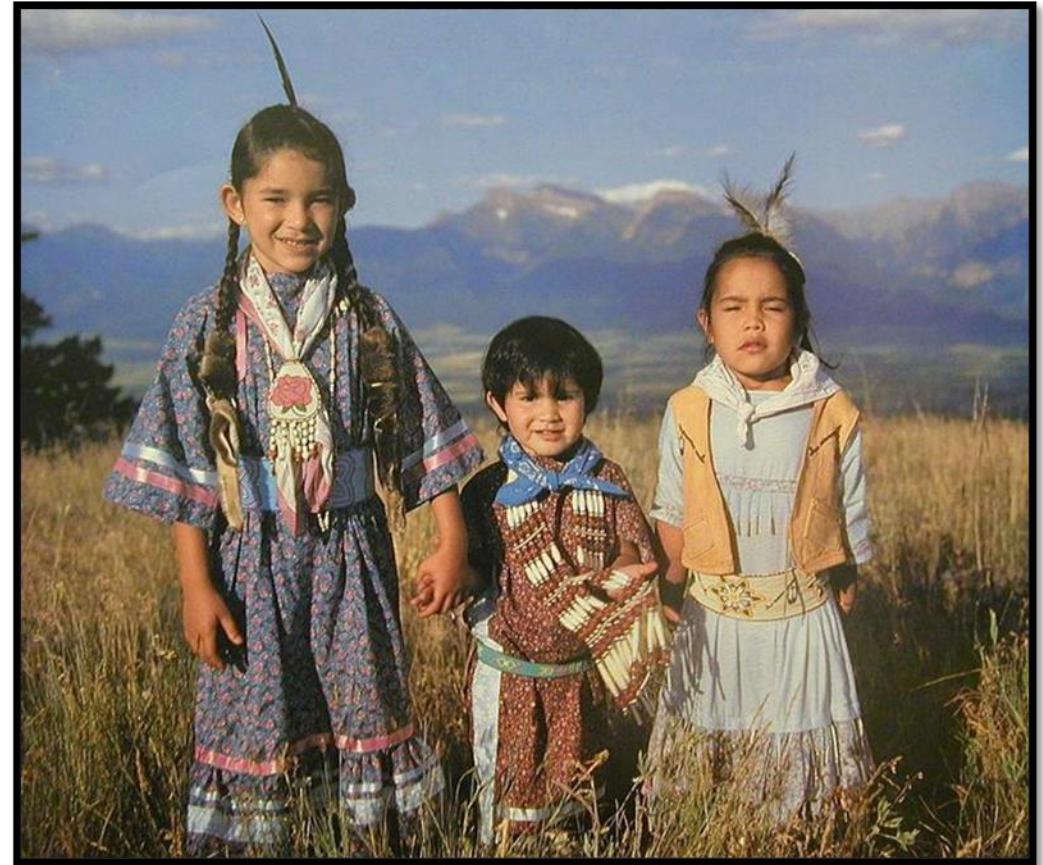
Single
(Sole)

Minors

Students

Eligible Indian Families

- Can serve any low-income Indian family
 - In Indian area
 - Activity and area described in IHP
- Definition of low-income
 - 80% or less of median income
 - Greater of Indian area or US median income limits



Suitability



- Determined by the Recipient (Tribe or TDHE) – examples of unsuitability include:
 - Violent criminal background
 - Drug-related criminal background
 - Poor history related to previous housing
 - In debt to the Tribe or TDHE

Calculating Income to Determine Eligibility

PIH Notice 2024-07 provides guidance on the following:

- Calculating income for the purpose of program eligibility.
- Identifies three definitions of income a recipient may adopt.
- Provides an updated list of Federally Mandated Exclusions from annual income and provides guidance on how to treat certain payments received by individuals.

Low-Income Requirements

- Section 4 (15) of NAHASDA defines “median income” with respect to an area that is an Indian area, the greater of –
 - The median income for the Indian area, which the Secretary shall determine; or
 - The median income for the United States.
- If housing located in more than one area, the Tribe/TDHE can use the highest for all housing.

FY 2025 Income Limits (United States)

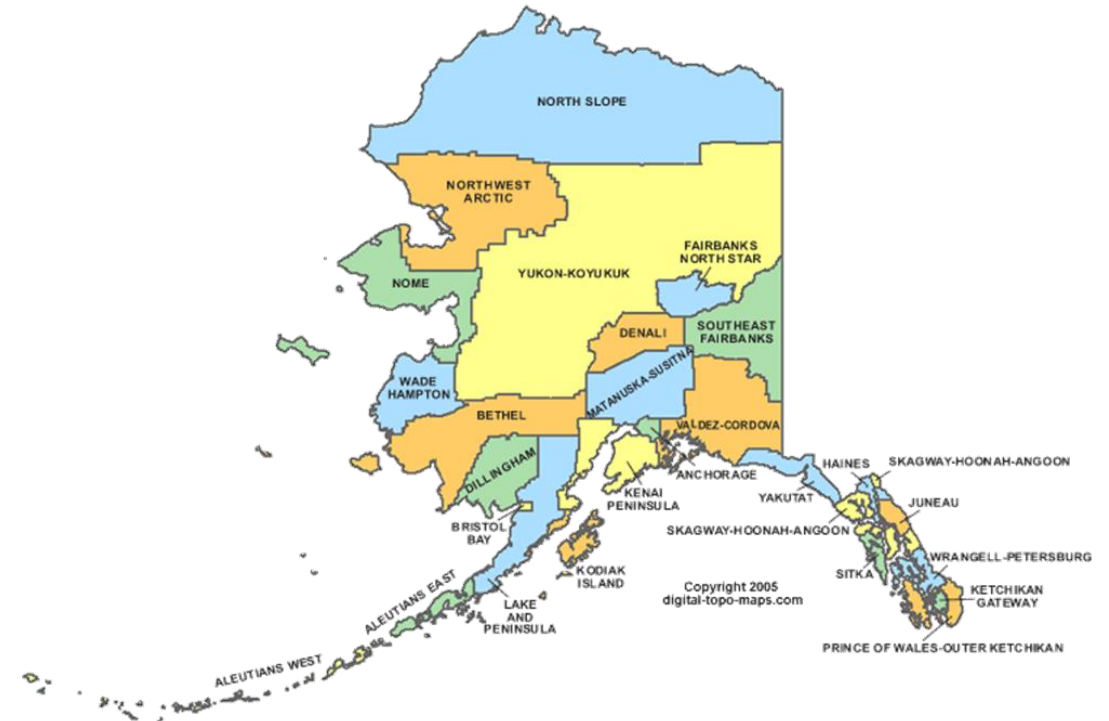
If the MFI limit for a county located within your Indian area is lower than the United States MFI limit, you must use the United States FMI limit. The United States MFI for FY 2025 is \$104,200. Therefore, the adjusted income limits for family size and 80 and 100 percent of MFI are shown below.

	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
80%	\$58,352	\$66,688	\$75,024	\$83,360	\$90,029	\$96,698	\$103,366	\$110,035
100%	\$72,940	\$83,360	\$93,780	\$104,200	\$112,536	\$120,872	\$129,208	\$137,544

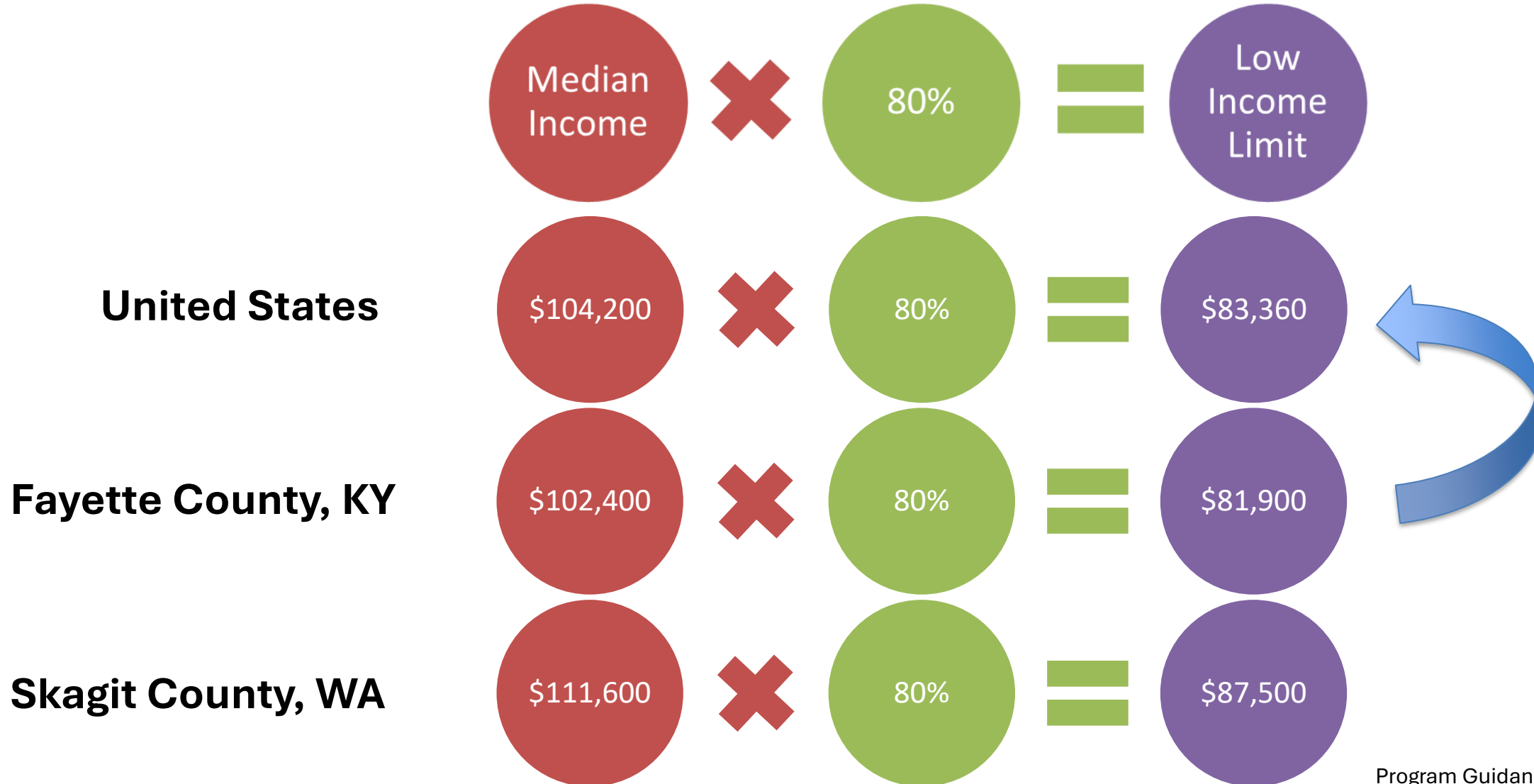
Local (State and County) income limits can be found here:
https://www.huduser.gov/portal/datasets/il/il2025/select_Geography.odn

FY 2025 Income Limits (Alaska)

- Due to prevailing levels of construction costs, Tribes or TDHEs located within Alaska, but outside of the service areas should use the Alaska MFI to determine income eligibility
- See Program Guidance 2025-01 for these Income Limits.
https://www.hud.gov/sites/default/files/PIH/documents/2025-01_FY25_IHBG_Income_Limits.pdf



Income Eligibility (4-person families)

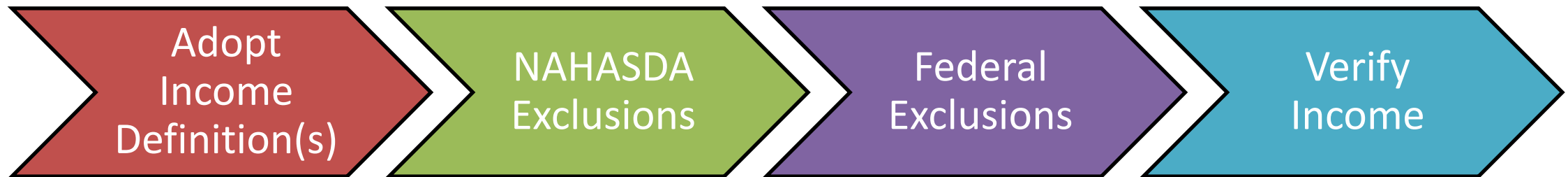


Determining Household Size



- Persons NOT included:
 - Foster children
 - Live-in aides
- Income of these persons also not included

Calculating Annual Income to Determine Eligibility



Annual Income – Definitions

(24 CFR 1000.10)

Section 8 Definition (24CFR Part 5)

Census Definition

IRS Definition (IRS Form 1040 AGI)

Policy must state which definition(s) you are using; often stated as “will use definition most advantageous to the family”.

Part 5 (Section 8) Annual Income

Gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period:

- **Gross amount:** before deductions are taken
- **Income inclusions:** types of income to be counted
- **Income exclusions:** types of income not to be considered
- **Anticipated income:** a projection of earnings over the next 12 months

Part 5 (Section 8) Annual Income Changes

- Changes were made to 24 CFR 5.609, which defines annual income. The HOTMA final rule established an effective date of January 1, 2024, for the revisions made to HUD's income regulations at 24 CFR Part 5. Since 24 CFR 1000.10 uses the 24 CFR 5.609 as an acceptable method for Tribes to calculate annual income, the HOTMA changes apply to the NAHASDA program who use 24 CFR 5.609. PIH Notice 2023-24 and PIH Notice 2024-06 extended compliance with the initial effective date.
- PIH Notice 2024-07 provides instruction for calculating annual income for the purpose of eligibility under NAHASDA for implementing the HOTMA final rule.
- PIH Notice 2024-37 further extends the implementation of the HOTMA final rule until January 1, 2026, for Tribes, TDHEs and DHHL. Recipients of NAHASDA are encourage to review PIH Notice 2024-07 to determine how they will implement the changes either through policy or procedural processes.

Census Long Form Definition

Income to be counted:

- Similar to Part 5 Definition of Income BUT ...
- Includes income of minors 15-18 years old



IRS Definition

- Use IRS Form 1040 Series for individual federal annual income tax purposes
- Adjusted gross income is used to determine program eligibility

Form 1040 Department of the Treasury - Internal Revenue Service (99) **2017** OMB No. 1545-0047 IRS Use Only - Do not write or staple in this space.

For the year Jan. 1-Dec. 31, 2017, or other tax year beginning , 2017, ending , 2017.

Your first name and initial Last name Your social security number

If a joint return, spouse's first name and initial Last name Spouse's social security number

Home address (number and street). If you have a P.O. box, see instructions. Apt. no.

City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions).

Foreign country name Foreign province/state/county Foreign postal code

Filing Status 1 ☐ Single 4 ☐ Head of household (with qualifying person). (See instructions.)
 2 ☐ Married filing jointly (even if only one had income) If the qualifying person is a child but not your dependent, enter this child's name here: ▶
 3 ☐ Married filing separately. Enter spouse's SSN above and full name here: ▶ 5 ☐ Qualifying widow(er) (see instructions)

Check only one box.

Exemptions 6a ☐ Yourself. If someone can claim you as a dependent, do not check box 6a. 6b ☐ Spouse

Dependents: (1) First name Last name (2) Dependent's social security number (3) Dependent's relationship to you (4) ☐ If child under age 17 qualifying for child tax credit (see instructions)

If more than four dependents, see instructions and check here: ☐

Boxes checked on 6a and 6b:
 No. of children on 6c who:
 • lived with you ☐
 • did not live with you due to divorce or separation (see instructions) ☐
 Dependents on 6c not entered above ☐
 Add numbers on lines above ▶ ☐

d Total number of exemptions claimed

Income 7 Wages, salaries, tips, etc. Attach Form(s) W-2 7
 8a Taxable interest. Attach Schedule B if required 8a
 b Tax-exempt interest. Do not include on line 8a 8b
 9a Ordinary dividends. Attach Schedule B if required 9a
 b Qualified dividends 9b
 10 Taxable refunds, credits, or offsets of state and local income taxes 10
 11 Alimony received 11
 12 Business income or (loss). Attach Schedule C or C-EZ 12
 13 Capital gain or (loss). Attach Schedule D if required. If not required, check here: ☐ 13
 14 Other gains or (losses). Attach Form 4797 14
 15a IRA distributions 15a b Taxable amount 15b
 16a Pensions and annuities 16a b Taxable amount 16b
 17 Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E 17
 18 Farm income or (loss). Attach Schedule F 18
 19 Unemployment compensation 19
 20a Social security benefits 20a b Taxable amount 20b
 21 Other income. List type and amount 21
 22 Combine the amounts in the far right column for lines 7 through 21. This is your total income ▶ 22

Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.
 If you did not get a W-2, see instructions.

Adjusted Gross Income 23 Educator expenses 23
 24 Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ 24
 25 Health savings account deduction. Attach Form 8899 25
 26 Moving expenses. Attach Form 3903 26
 27 Deductible part of self-employment tax. Attach Schedule SE 27
 28 Self-employed SEP, SIMPLE, and qualified plans 28
 29 Self-employed health insurance deduction 29
 30 Penalty on early withdrawal of savings 30
 31a Alimony paid b Recipient's SSN ▶ 31a
 32 IRA deduction 32
 33 Student loan interest deduction 33
 34 Tuition and fees. Attach Form 8917 34
 35 Domestic production activities deduction. Attach Form 8903 35
 36 Add lines 23 through 35 36
 37 Subtract line 36 from line 22. This is your adjusted gross income ▶ 37

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see separate instructions. Cat. No. 11320B Form **1040** (99) 2017

Basic Differences Between Definitions

- Child support payments received – not included in the IRS Form 1040 definition.
- Alimony payments made – allowed as a deduction from income in the IRS definition.
- US Census version counts income of minors at least 15 years old.

Whose Income Counts?

MEMBERS	EMPLOYMENT INCOME	OTHER INCOME
Head	YES	YES
Spouse	YES	YES
Co-head	YES	YES
Other Adult	YES	YES
Dependents	SEE NOTE	YES
Child under 18	SEE NOTE	YES
NON-MEMBERS	EMPLOYMENT INCOME	OTHER INCOME
Live-in aide	NO	NO
Foster child	NO	NO
Foster adult	YES (will be “NO” under HOTMA)	NO

NOTE: The earned income of a full-time student 18 years old or older who is not the head, co-head, or spouse is excluded to the extent that it exceeds \$480

Calculating Annual Income

Income Exclusions Categories:

- Benefits that should not be counted as income, for example certain VA benefits
- Income of certain household members that should not be counted, for example live-in aides
- Amounts that are counted as assets rather than income, for example inheritances

Calculating Annual Income

- Income From Self-Employment
 - Cash assets withdrawn or salaries paid to household members from business must be counted
 - Losses are counted as zero income (not deducted)
- Alimony and Child Support
 - Included if received
 - If not received, must document that delinquency reported
- Assets
 - No asset limitation
 - Income from assets is recognized as part of annual income

When Must a Family be Low-Income



- At the time services are provided:
 - Rental Housing Program – Lease signed with family
 - Homeownership Program – Mortgage signed with family
 - Rehab Program – Agreement signed with family
 - Rental Assistance Program – HAP Agreement signed with landlord

Exercise 2: Income Eligibility

Types of Families (based on income)

Low-Income
Indian
Families

10% Non-
Low-Income
Families

Essential
Families

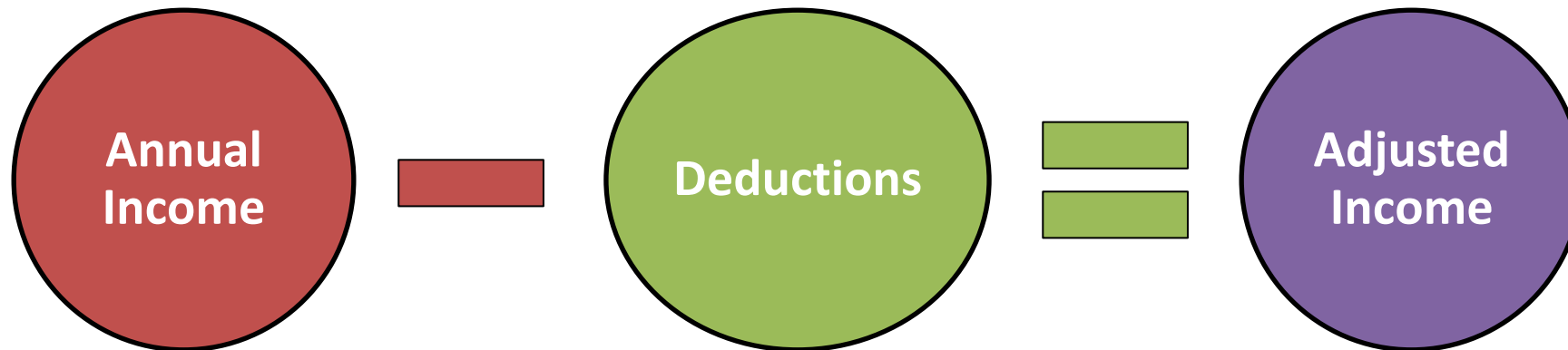
Law
Enforcement
Officers

When May Non-Low-Income Families Be Eligible?

10% Authority	Essential	Law Enforcement	Continued Occupancy	HUD Approved
<ul style="list-style-type: none">• 10% of planned expenditures for 80-100% of median income families• Only if needed, and no other housing available• No HUD approval required• Benefits must be reduced	<ul style="list-style-type: none">• Presence essential to well being of Indian families in the area• Need for housing cannot be met without help• Does not count against 10% authority	<ul style="list-style-type: none">• Employed full time• Must be sworn to uphold and make arrests• Presence may deter crime• Does not count against 10% authority	<ul style="list-style-type: none">• Policy determines if family admitted low income who becomes non low income after entering program will pay more or be unable to stay• Does not count against 10% authority	<ul style="list-style-type: none">• Required if exceeding 10% authority, or• Family over 100% of median income

Adjusted Annual Income

If family's payment based on percentage of income, Annual Income must first be adjusted



Adjusted Income

- Adjusted income is derived by subtracting any of five deductions (or allowances) that apply to the household from the household's annual income.
- Household's eligibility for deductions depends, in part, on the type of household.
- Reminder – Eligibility is determined by Annual Income, payments are determined by Adjusted Income

Statutory Deductions

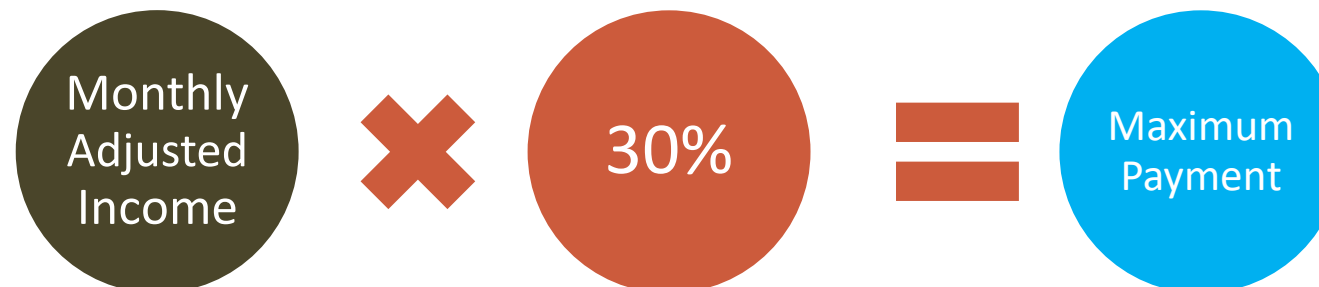
- \$480 for
 - Children under 18
 - Disabled persons over 18
 - Full-time students over 18
- \$400 for elderly or disabled family
- Attendant expenses over 3% of annual income for any type family
- Medical expenses over 3% of annual income for elderly or disabled families only

Statutory Deductions

- Childcare expenses that enable family members to work or go to school
- Earned income of minors under 18
- Travel expenses, not to exceed \$25 per family per week
- Other deductions provided in the local housing policies

These deductions are applicable regardless of which method of calculating annual income is used.

Calculating Maximum Payment



Deduction Based on Type of Households

TYPE OF DEDUCTION PERMITTED	ELDERLY OR DISABLED	FAMILY
\$400 Elderly or disabled household	✓	
\$480 Dependent	✓	✓
Child Care enabling work or school	✓	✓
Medical Expenses in excess of 3%	✓	
Disability Assistance Expenses > 3%	✓	✓
Travel expenses up to \$25/week	✓	✓

Do Not Qualify as Dependents

- The head of the family, the spouse, and the co-head may never qualify as dependents.
- A foster child or foster adult, an unborn child, a child who has not yet joined the family or a live-in attendant may never be counted as a dependent.

Exercise 3:

Calculating Adjusted Gross Income & Total Tenant Payment

Assisting Non-Low-Income Families

(24 CFR 1000.110)

- A recipient may use up to 10 percent of the amount planned for the Tribal program year for families whose income falls within 80 to 100 percent of the median income without HUD approval.
- A recipient must determine and document that there is a need for housing for each family that cannot reasonably be met without such assistance.
- Non-low-income families cannot receive the same benefits provided low-income Indian families.

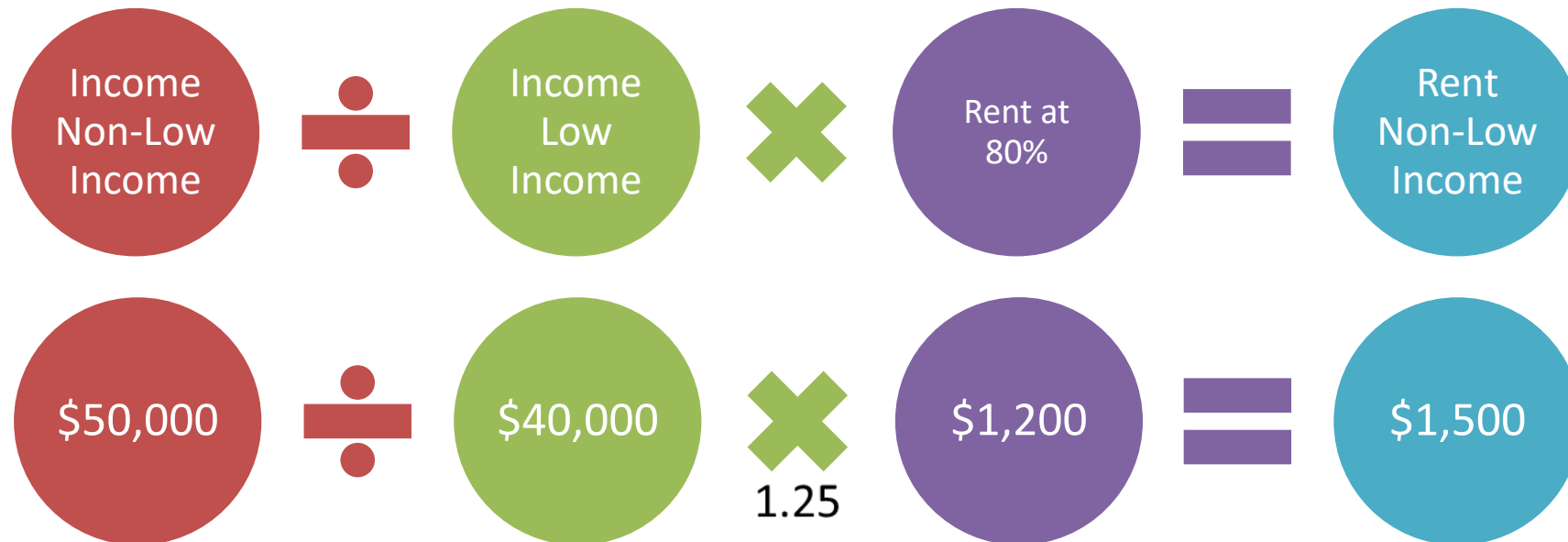
Non-Low-Income Rental Payment Requirements

- The rent (including homebuyer payments under a lease purchase agreement) to be paid by a non-low-income family must be greater than the rent paid by a low-income family.
- Calculation: $[\text{income of non-low-income family} / \text{income of family at 80 percent of median income}] \times [\text{rental payment of family at 80 percent of median income}]$ but need not exceed the fair market rent or value of the unit (24 CFR 1000.110(d)).
- **This does not apply to families admitted as low income who subsequently become non low income. Your policy determines how those households are treated.**

Minimum Non-Low-Income Rents

To calculate minimum rental payment for non-low-income family:

- Divide their income by 80% of median income
- Multiply that number by amount of monthly rent for low-income family



Non-Low-Income Assistance Other Than Rent

- The assistance to be provided to a non-low-income family must be less than the assistance provided to a low-income family.
- Calculation: $\left[\frac{\text{income of family at 80 percent of median income}}{\text{income of non-low-income family}} \right] \times [\text{assistance provided to family at 80 percent of median income (24 CFR 1000.110(d))}]$.

Assistance for Non-Low-Income Families

To calculate maximum assistance proved to non-low-income family:

- Divide their income into the income of a family at 80% of median income
- Multiply that number by amount of assistance provided



Exercise 4:

Calculate Non-Low-Income Assistance

Waiting Lists

- Establishes order of assistance to qualified candidates
- Implements preference/priorities systems
- Ensures fair and equitable treatment
- Serves as source of data about need and demand for units by size, type, and location



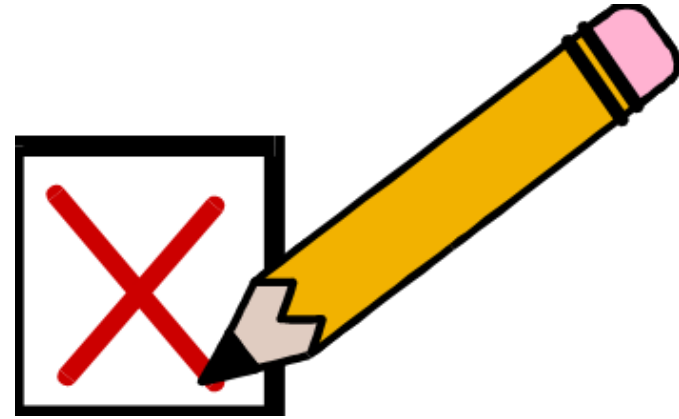
Waiting List Options

- Number of waiting lists
- Electronic lists
- What to include on list
- How to join list
- How to purge list



Income Verification

- Verify at time of initial assistance
- Verification techniques
 - Third party verification
 - Copies of wage and bank info
 - Self certification of accuracy
- Re-exams not required but are encouraged!



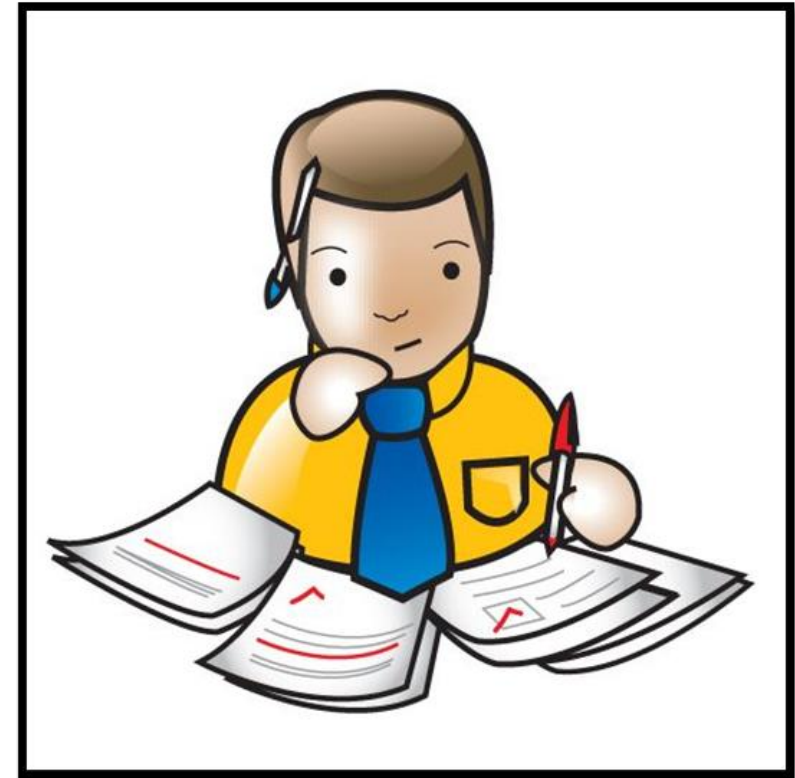
Verification

Interviewer must be able to decide:

- What additional documents are needed
- What additional information must the applicant provide
- What must be verified to comply with NAHASDA requirements
- What type of verification is needed

Standard Verification Forms

- Consent to Release Information
- Verification of Employment
- Verification of Income
- Verification of Trust Income
- Verification of Savings
- Verification of Pensions
- Landlord Verification



Collecting Participant Information

- All participant information is considered Protected Personally Identifiable Information and is required to be kept confidential
- Criminal conviction information must be kept separate

Selection Policies

- Must develop selection policy
- Can establish preferences
 - Members of Tribe
 - Persons with special needs
 - Veterans
 - Certain types of families



Selection Criteria Options

- Should be established by admissions policies
- Examples:
 - Ability to make monthly payments
 - Comments from prior landlord
 - Credit references
 - Housekeeping habits
 - Criminal background check
 - Disability accommodations

Leases

- Rental or homebuyer lease must be written
- Must state:
 - Rent/Lease Payment/Admin Fees
 - Who is responsible for maintenance
 - Timeline for adequate notice
 - Inspection requirements
 - Reasons for termination

Section 4: Eligible Activities

Affordable Housing Activities

- Affordable housing is housing that meets the requirements of NAHASDA, including:
 - Housing units developed under the 1937 Act Housing (Low Rent or LR, Mutual Help or MH & Turnkey, Section 8)
 - NAHASDA Units
 - Other units that meet requirements of NAHASDA Title II (LIHTC, RD, HOME etc.)
- All NAHASDA requirements apply, most importantly that the persons receiving assistance are Low-Income and Native American

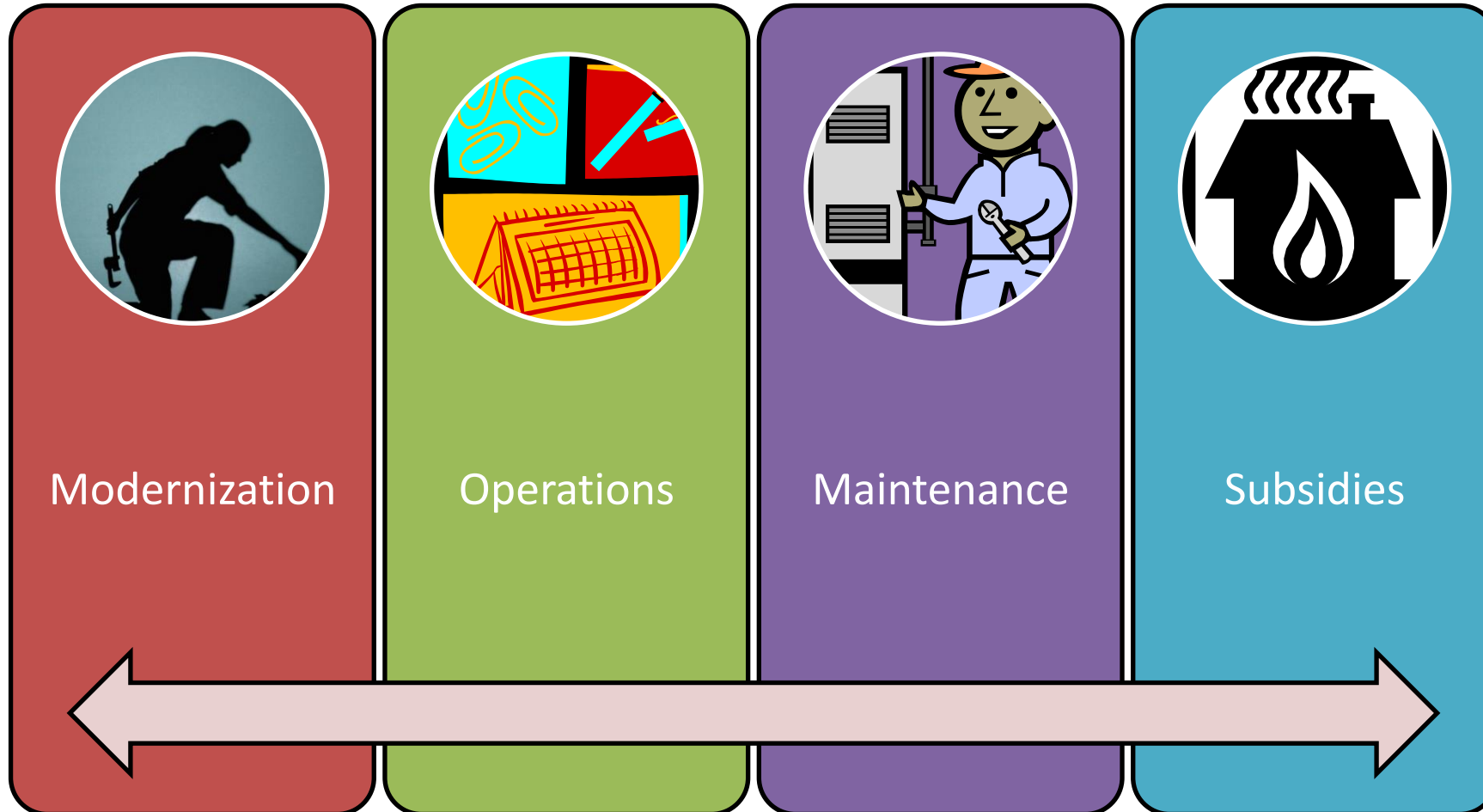
Types of Eligible Activities

- Indian housing assistance
- Development
- Housing services
- Housing management services
- Crime prevention and safety
- Administrative and planning expenses
- Model activities

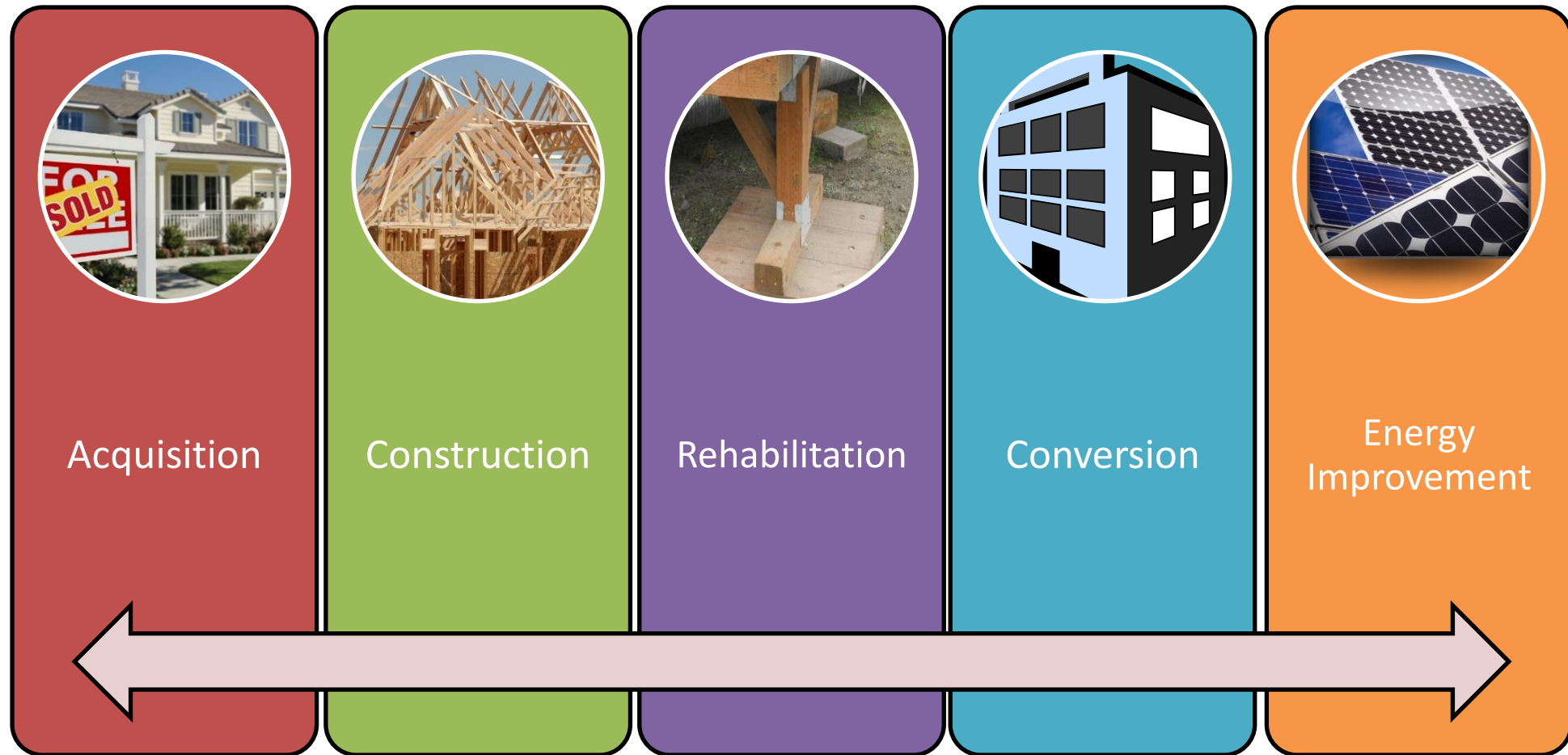
See [PIH Notice 2023-30](#) for complete guidance.

Indian Housing Assistance - 202(1)

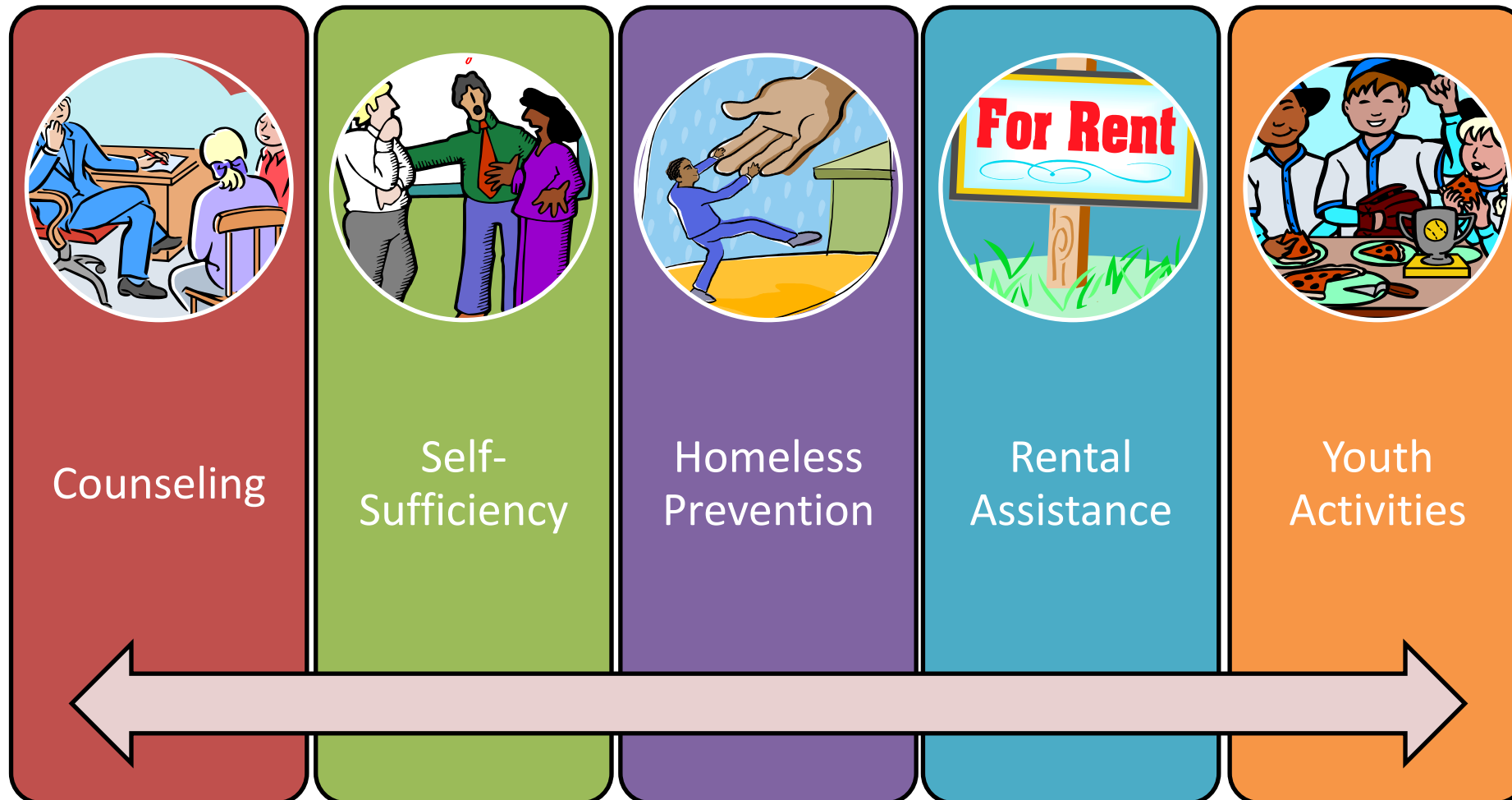
1937 Act Housing Only



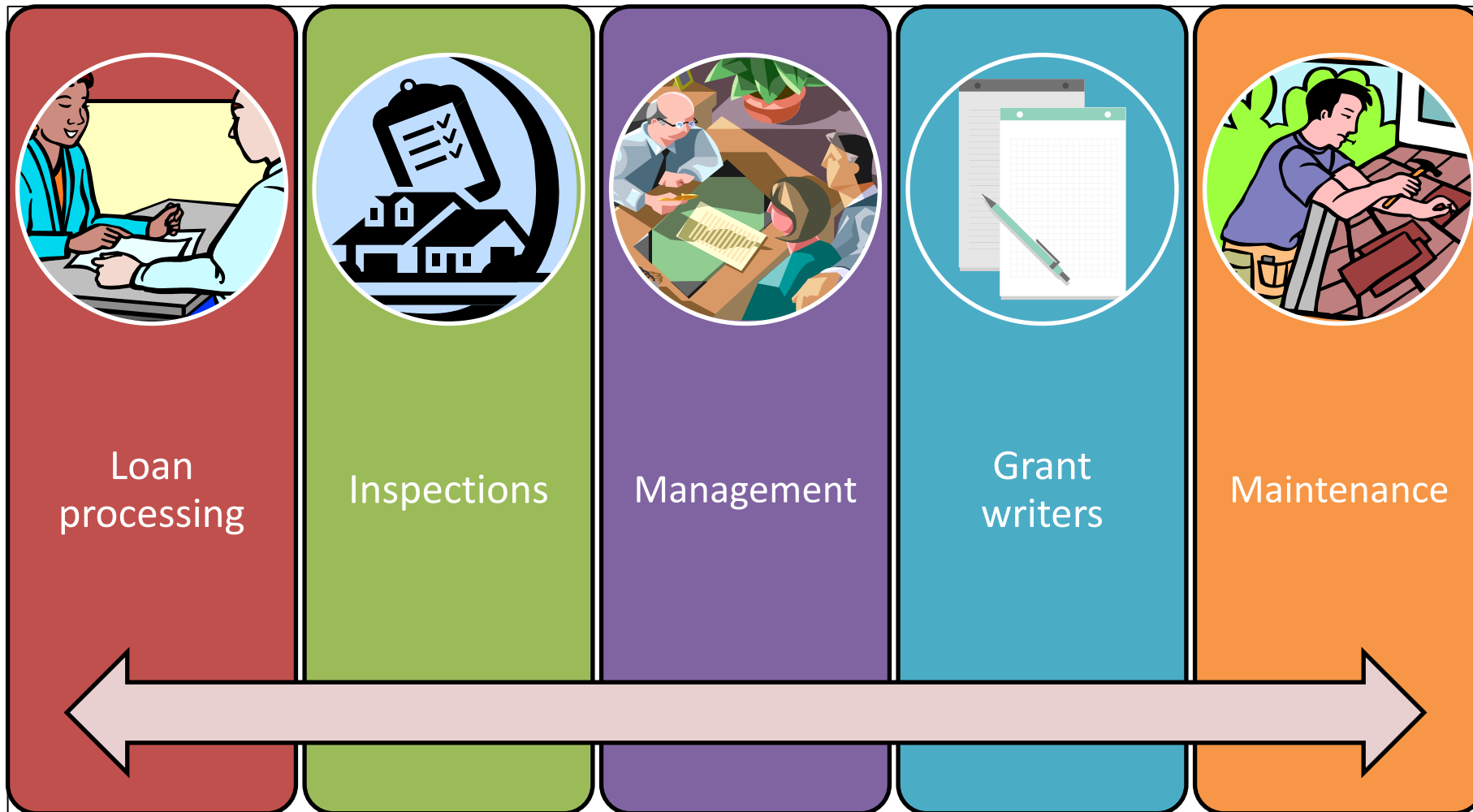
Development – 202(2)



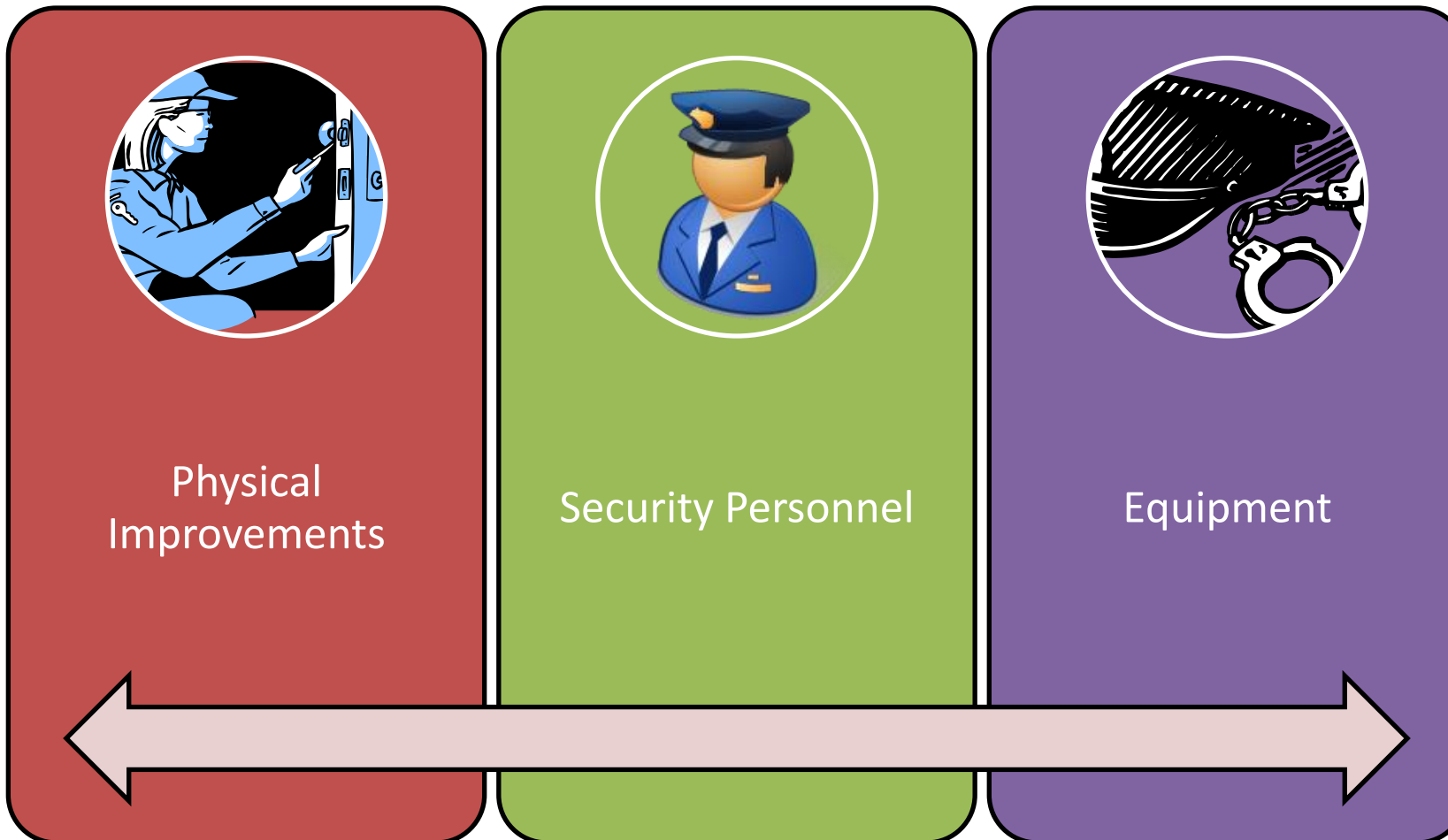
Housing Services – 202(3)



Housing Mgmt. Services – 202(4)

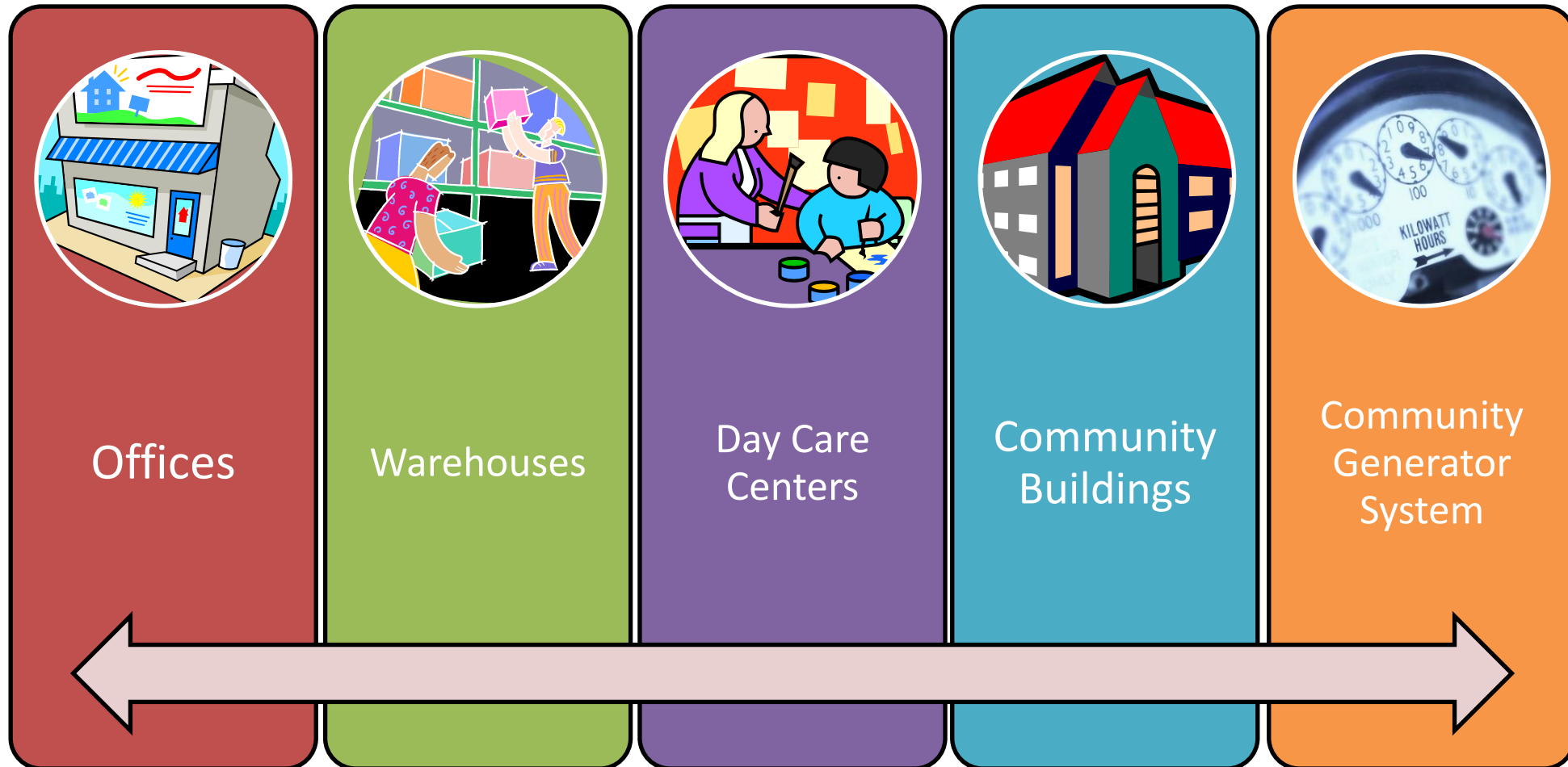


Crime Prevention – 202(5)



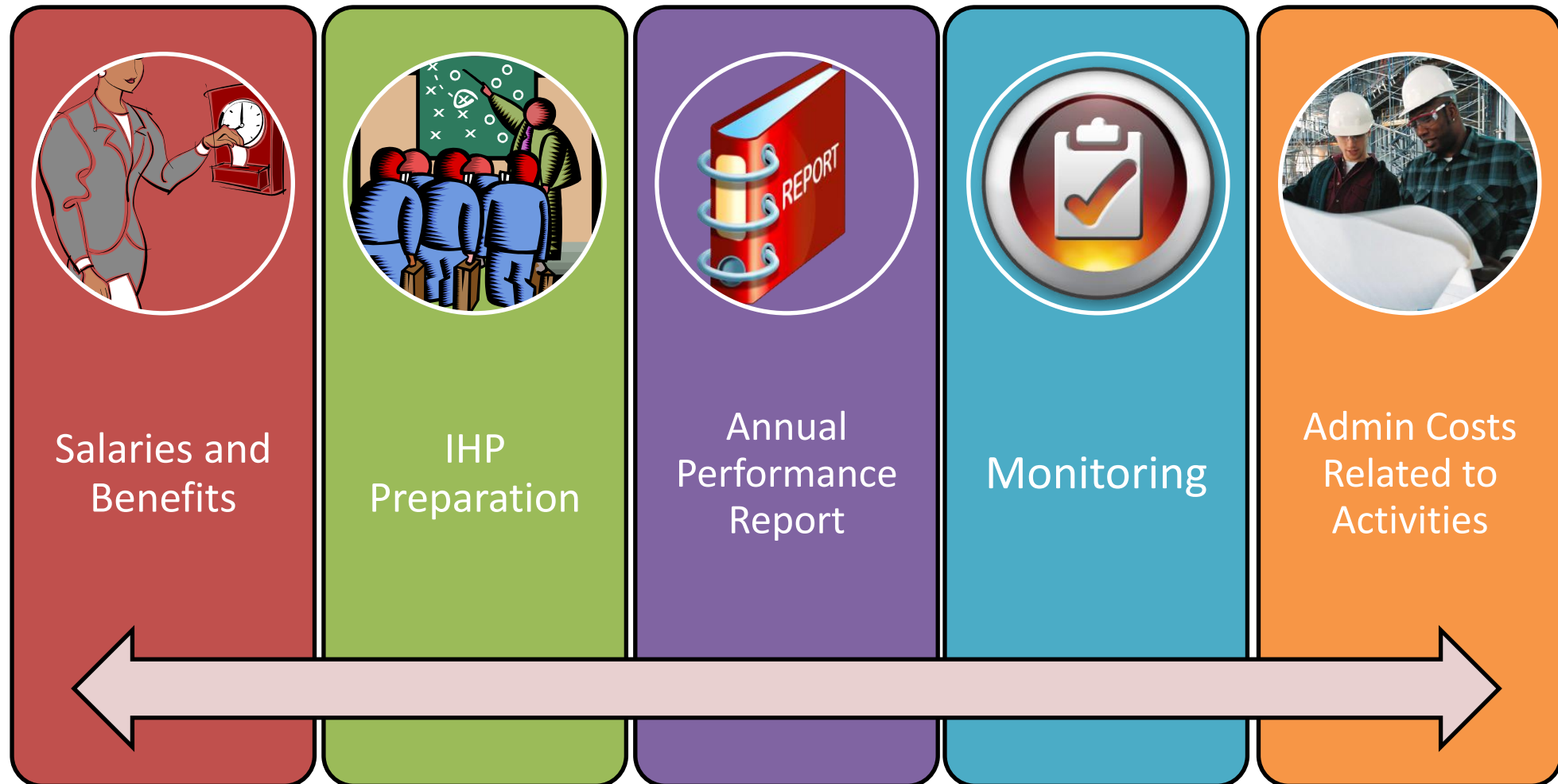
Model Activities – 202(6)

(must be approved by HUD)



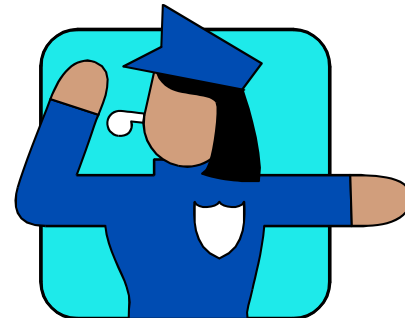
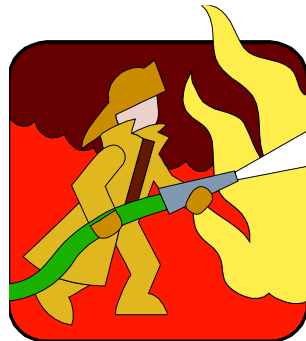
Admin and Planning - 101(h)

(capped at 20%/30% depending on IHBG)



Ineligible IHBG Activities

- Economic development and activities not directly related to provision of affordable housing
- Activities normally funded through Tribal programs (roads, social services, education)



Activities Recap

- Rental housing
- Housing counseling
- Property management
- Maintenance of IHA property
- Leveraging a tax credit project
- Water and sewer for affordable housing
- Gym for affordable housing tenants
- Services provided by police for affordable housing tenants only.

Housing Related Activities

- If using income generated from the use of IHBG funds (Program Income) eligible activities expanded to include housing-related activities
- *Housing related activities*, as defined for purposes of using Program Income, means any facility, community building, infrastructure, business, program, or activity, including any community development or economic development activity, that:
- Is determined by the recipient to be beneficial to the provision of housing in an Indian area; and ...

Housing Related Activities cont.

- Would meet at least one of the following conditions:
 - Would help an Indian Tribe or its Tribally designated housing entity to reduce the cost of construction of Indian housing;
 - Would make housing more affordable, energy efficient, accessible, or practicable in an Indian area; or
 - Would otherwise advance the purposes of NAHASDA.
- NAHASDA requirements do not apply if no IHBG funds used to fund the activity

Summary: IHBG Funds vs Program Income

IHBG Funds

- IHBG funding allocation
- Includes interest earned on invested IHBG funds
- **Must** be used for Affordable Housing Activities
- NAHASDA requirements apply

Program Income

- Income generated from the use of IHBG funds
- **Excluding** interest earned on invested IHBG funds
- Can be used for Affordable Housing Activities AND Housing Related Activities.
- NAHASDA requirements do not apply if no IHBG funds used

Determining Housing Activities

- What the does the community need now and what will be needed in future?
- What needs can we meet within our current and future budgets?
- For any activity we choose, benefits and responsibilities of participants
- Determine how activity will be implemented, policies procedures

Program Types (examples)

- Rental
- Homeowner
- Rehab
- Home purchase assistance
- Services
- Rental assistance



Determining Program Types



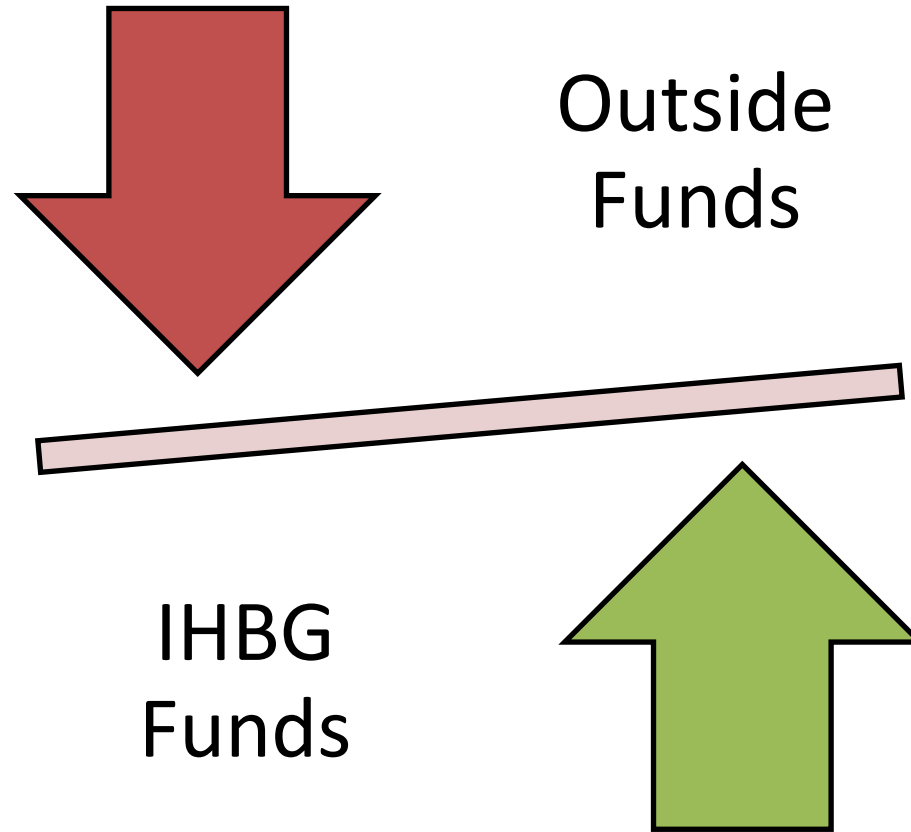
Key questions:

- What type of housing assistance is needed?
- What type is demanded?
- Capacity to develop?
- Capacity to manage?

Allocation Approaches

- Maximum amount of assistance versus share smaller amounts across more households
- One-time assistance or allow household to receive assistance over time
- Leveraging other programs
- Leveraging participant resources

Leveraging



Methods of Assistance

- Grant
- Loan
 - No interest
 - Market interest
 - Reduced interest
- Sweat Equity
- Loaning tools and equipment
- Technical assistance
- Other

Implementation



How will the work be accomplished?

- Tribal staff
- Construction contract
- Totally force account
- Force account with subcontracts
- Subrecipient agreements
- Sweat equity

Section 5: Rental Housing

Types of Rental Housing

- Can develop housing for all types of income-eligible families
- Can also target develop for certain populations (elderly, large families, college students, etc.)



Special Needs Housing



- Developed for specific population
- IHBG can only pay for development, not for related services

Tenant Based Rental Assistance

Effective way to provide
affordable housing without
construction



Multifamily Housing Units



- Units in same structure or complex
- Make sure there is sufficient demand
- Good way to develop housing for one- or two-person families

Single Family Rental Units

- Subdivision development
- Scattered site development or acquisition



Mixed Use Development



- Different types of units under same ownership, management, financing
- Mix of residential and commercial – must fully pro-rate all costs involved in operation
- Cannot pay for economic development portion with IHBG funds

Mixed-Income Units

- Can develop housing for low- and non-low-income households
- Can only pay for the portion related to low-income households
- See Notice PIH 2010-32 for more information



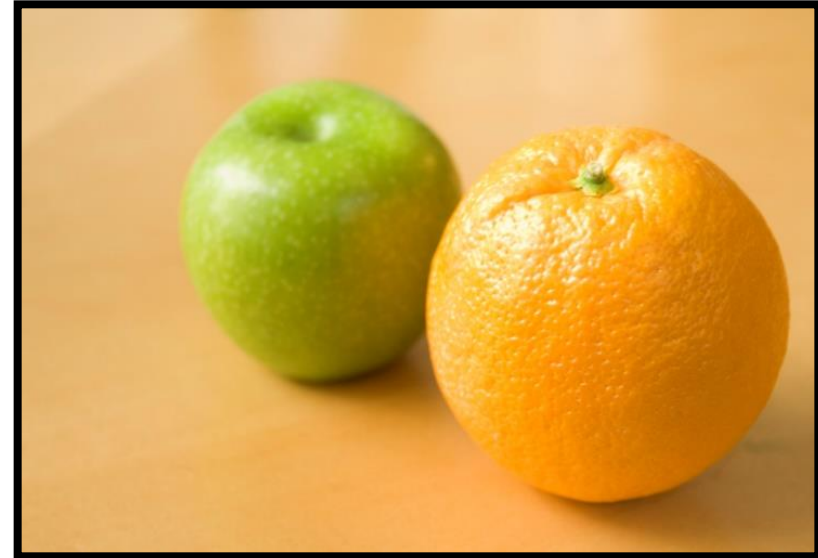
Identifying NAHASDA-Assisted Units

- Determine minimum number of units based on actual IHBG funds invested in a unit or project
- Units can be “fixed” or “floating”



Comparability Analysis

- Unit Size
 - Number of bedrooms
 - Square footage of unit
- Amenities
 - Fixtures
 - Appliances
 - Other



Determining Minimum Number of NAHASDA Units

- If units in project are comparable
 - Ratio of IHBG funds to project total cost = the ratio of the minimum NAHASDA units to total project units
- When units are not comparable
 - Determine actual costs of NAHASDA units including share of common costs to determine ratio
 - Necessitates “fixed” units

Other Types of Units

- Supportive Housing
 - Shared eating and sanitary facilities
 - Typically connected to social services or special needs
- Single room occupancy
 - Shared either kitchen or sanitary facilities, else similar to individual apartments

Eligible Rental Activities

- New construction
- Rehabilitation of existing units
- Acquisition
- Acquisition with rehabilitation
- Reconstruction
- Conversion



Eligible Rental Housing Costs

- Hard costs of construction
 - Materials and labor
- Soft costs
 - Architect, engineer etc.
- Acquisition costs
- Infrastructure for housing



Eligible Rental Housing Costs

- Relocation costs
- Environmental reviews
- Project oversight and implementation
- Cap costs at TDC
 - All hard and soft costs
 - Not including infrastructure beyond footprint

Developer and Owner Options



Options include:

- Tribe
- Private developer
- Limited partnership
- Nonprofit developer
- Joint venture

Construction Methods

Options:

- Force account method
- Contractor
- Combination



Types of Financing

- Grants
- Loans
- Deferred payment loans
- Cash flow loans
- Interest subsidies
- Principal reduction
- Construction financing



Sources of Leverage (examples)

- Indian Community Development Block Grant (ICDBG)
- Community Services Block Grant (CSBG)
- Social and Economic Development Strategies (SEDS) Grant
- Community Development Financial Institutions (CDFIs)
- Resident Opportunities for Self-Sufficiency (ROSS)

Sources And Uses

- Costs and funds to complete the project
- Helps determine how much funding needed to develop property
- Sources = funds to pay costs
- Uses = one-time costs

SOURCES = USES

Sources And Uses Example

<u>Sources</u>	
Bank Loan	\$ 75,000
IHBG	\$ 75,000
Tax Credit Equity	\$100,000
<u>State Funds</u>	<u>\$ 19,000</u>
TOTAL	<u>\$269,000</u>

<u>Uses</u>	
Land	\$ 45,000
Construction	\$165,000
Soft Costs	\$ 24,000
<u>Fee</u>	<u>\$ 35,000</u>
TOTAL	<u>\$269,000</u>

What Is An Operating Budget?

- Determines net operating income
- Assesses project feasibility over the long run
 - Income
 - Expenses

Costs to Consider

- Management
- Collection Losses
- Vacancy Losses
- Maintenance
- Utilities

Setting Rents

- Can set rents as:
 - 30% of adjusted income
 - Minimum rents with 30% test
 - Lower percentage of income
 - Flat rent with 30% test
 - Lower percentages allowed for certain families - elders
- Must be low-income at time of initial occupancy
- Non-low-income cannot get same benefit as low-income

Potential Issues if Outside Jurisdiction

- On land Tribe has sovereignty/civil jurisdiction over Tribe/TDHE can limit assistance to Indian families and provide Tribal preference
- IHBG funds and other funds may become subject to nondiscrimination requirements used for affordable housing project
- Payment In Lieu Of Taxes (PILOT) agreement may be involved for housing developed off reservation or on non-trust land

Exercise 5:

Operating Expenses and Revenue

Section 6: Home Purchase Assistance

Homeownership Activities

- Acquisition of existing housing
 - Acquisition with rehabilitation
 - Purchase of existing units
 - Construction of for-sale units
- Remember TDCs



Approaches to Homeownership

Direct Assistance

- Goes to family
- Downpayment
- Rehab
- Combination

Development

- Funds to developer
- Help family to pay by writing down cost

Lease Purchase

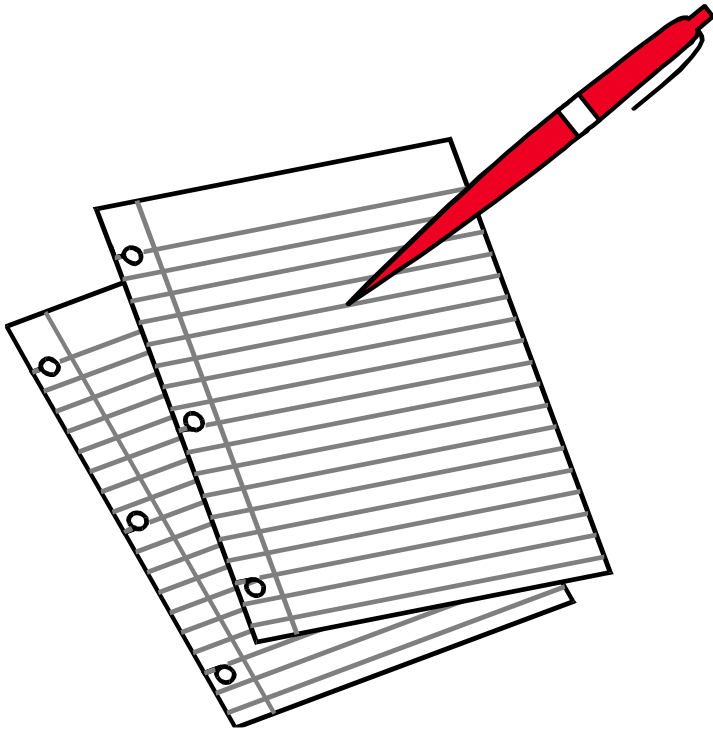
- Family rents until loan granted
- Payments can be capped
- No more than 30% of AMI

Types of Units

- Options include:
 - Single family
 - Duplex, triplex
 - Condominium
 - Mobile home
 - Multi-use
- Units can be stick built or manufactured



Forms of Land Ownership



Forms of land ownership may include:

- Leasehold
- Allotted or individual trust
- Fee simple

Financing Tools

Homebuyer assistance

- Grant for downpayment
- Lenders accept lower downpayment
- Reduce closing costs
- Purchase financing
- Principal buy-down
- Interest reductions



Financing Tools

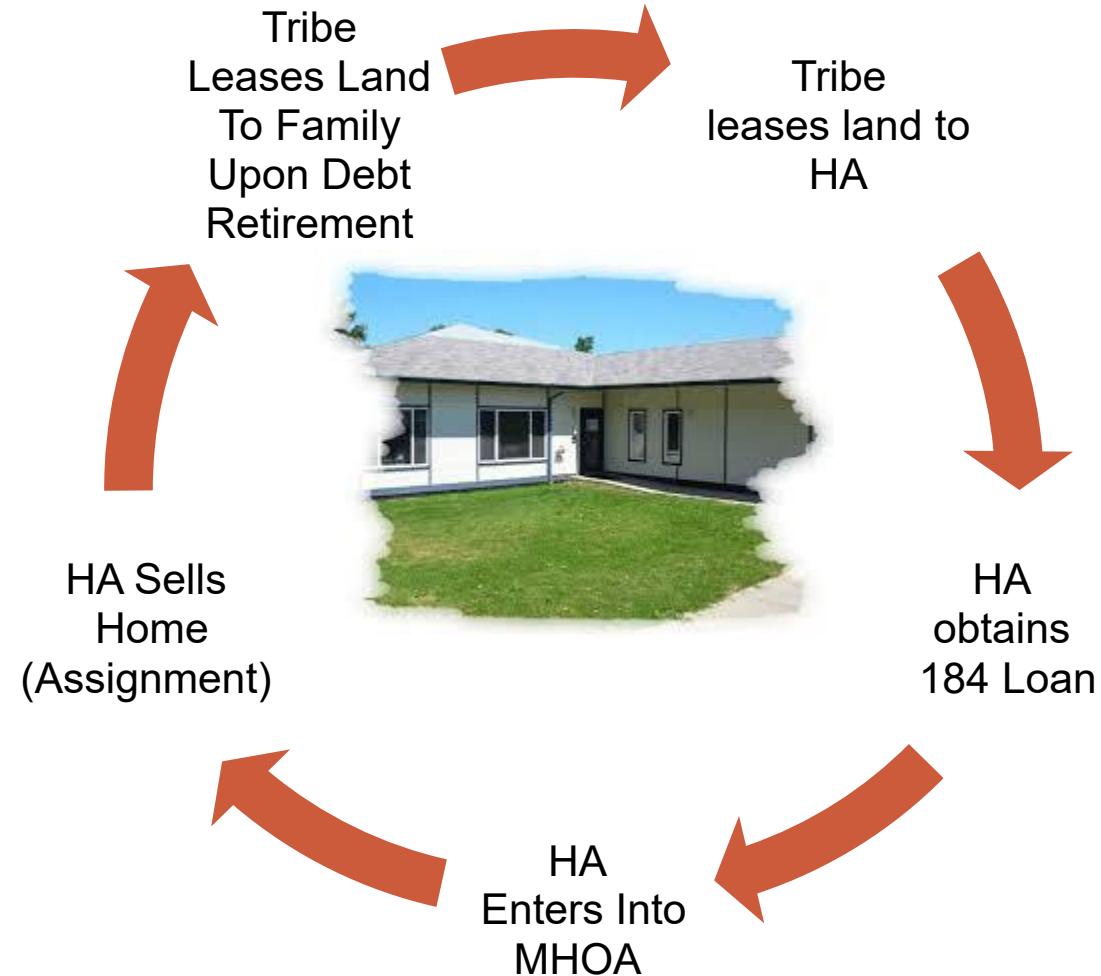
- Developer assistance
 - Grants
 - Loans
 - Deferred payment loans
 - Donated land
 - Cover infrastructure costs
 - Construction financing
- Be sure to consider program income implications
- Can combine with household assistance

Sources of Leverage

Sources:

- Section 184
- State agencies
- Rural housing services (formerly Farmers Home)
- Federal Home Loan Bank
- Private lenders
- Tribe and Tribal lenders
- Owner cash

Lease with Option to Purchase (LWOP) Program



Lease With Option To Purchase (LWOP) Example

- You must purchase the home at the time that you can qualify for a loan.
- You must qualify for a Section 184 within a **MAXIMUM OF 36 MONTHS**
- Must enroll in HBE classes until mortgage-ready
- Must have sufficient income to qualify for a \$100,000 loan

LWOP Requirements (example)

- Good credit profile
- 80% of Median Income (Low-income)
- Stable employment – 2 years in same industry
- Sufficient income to meet income targeting requirements
- No judgments
- Collections must be paid off

Underwriting Homebuyers



Steps – look at homebuyer:

- Cash requirements
- Debt-to-income ratios
- Loan-to-value ratios
- Credit

4 C's of Credit

Capital

- Downpayment
- Closing Costs

Capacity

- Expense to Income Ratio
- Debt to Income Ratio

Collateral

- Loan to Value Ratio

Character

- Willingness to pay

Program Options: Management

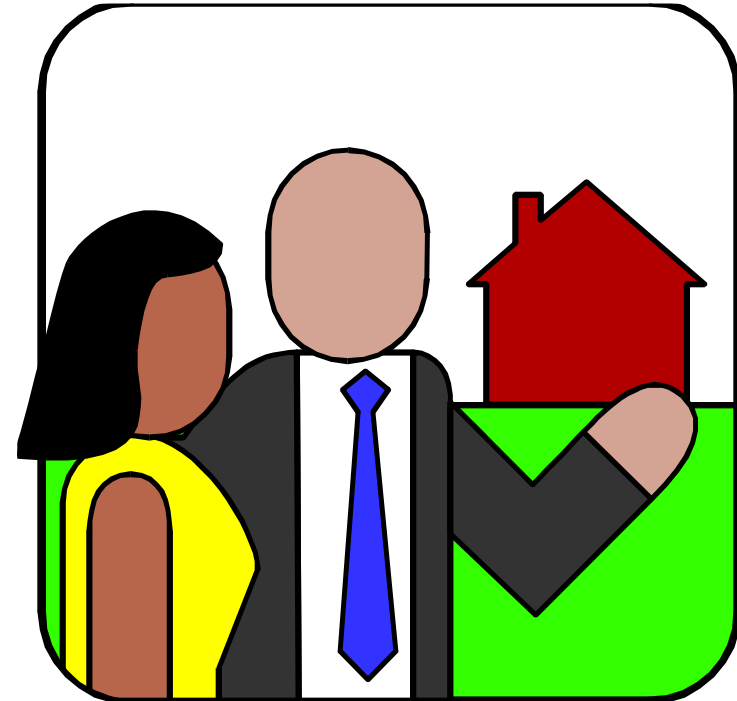
- Recipient, nonprofit, developer can manage
- Tasks:
 - Application intake
 - Homebuyer selection
 - Loan servicing

Homebuyer Payment

- Mortgage payments not capped
- Lease purchase “homebuyer payment” capped (30% of income)
- Non-low-income Indian family cannot get same level of benefit unless essential family

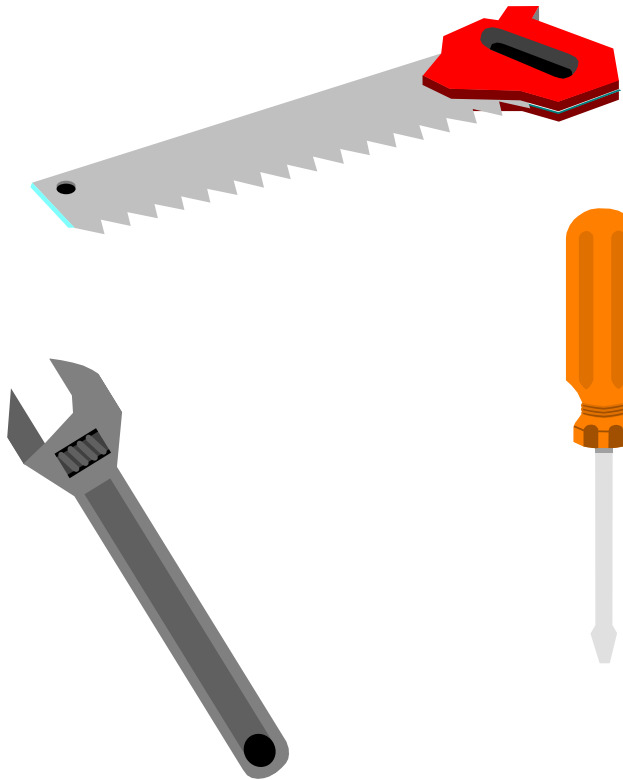
Resale Restrictions

- Does not impose resale restrictions
- Useful life
 - Who can buy
 - Repayment
 - Type of binding commitment



Section 7: Homeowner Rehabilitation

Types of Programs



Program options:

- Whole house rehabilitation
- Selected rehabilitation
- Accessibility improvements
- Energy conservation
- Green retrofitting
- Mold remediation

Level of Rehabilitation

- Can be substantial or moderate rehabilitation
- Maintenance vs. rehabilitation?
- Notice CPD-2016-02 provides guidance on maintenance vs rehab



Types of Units

Types include:

- Conveyed Mutual Help units
- HIP units
- Privately owned and developed units

Eligible Costs



Hard costs:

- Property improvements
- Removal of lead-based paint
- Energy efficiency
- Systems
- Utility connections
- Handicapped accessibility

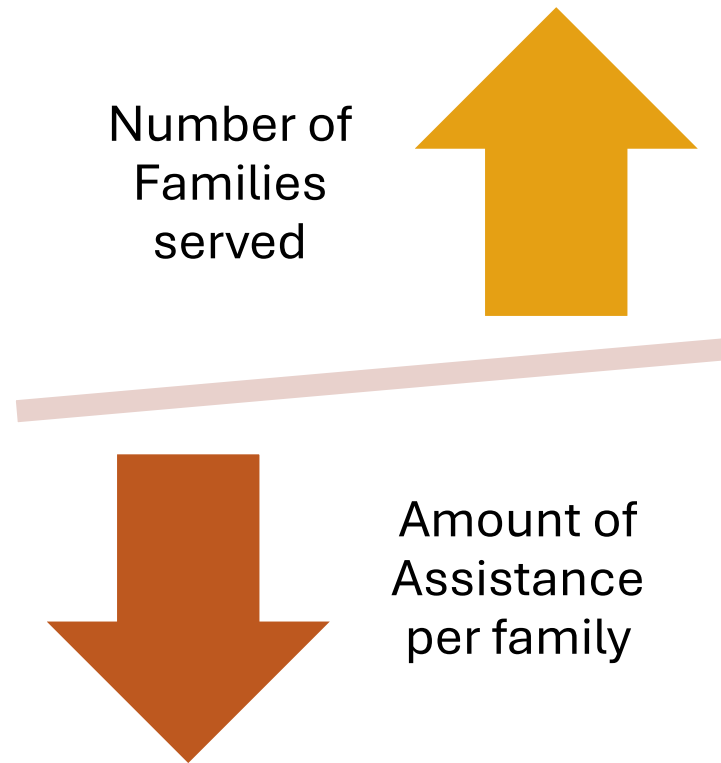
Eligible Costs

Soft costs:

- Architect
- Engineers
- Marketing
- Inspections
- Financing fees
- Environmental review



Assistance Limits



- Remember TDC limits
- Can serve:
 - Many families with little assistance
 - Few families with full assistance

Types of Assistance

Financial assistance can include:

- Grants
- Loans
- Deferred payment loans
- Leverage with other programs

Forms of Leverage

- Section 184
- HOME Program
- Rural Development 504
- BIA Homeownership Improvement Program
- ICDBG
- Title VI
- LIHTC

Underwriting

Look at:

- Family income and income source
- Regularity of income
- Expenses
- Family size
- Income available to pay loan

Construction Management Methods



- Force account
- Sweat equity
- Contractor

Housing Quality Standards

Options

- Use HQS
- Write own rehab standards
- Use national code or local ordinances



Inspections & Work Write-Ups



- 1) Conduct inspection
- 2) Develop work write-up
- 3) Estimate costs

Section 8: Other Housing Programs

Types of Programs

Many options for service programs:

- Housing services
- Housing management services
- Crime prevention
- Model programs



Tie to Affordable Housing

- When using IHBG funds, beneficiaries of services must be Low-Income and Native American families
 - NAHASDA units
 - 1937 Act units
 - Other housing qualifying under Title II
- If doing broader program, must pro-rate costs between funding sources

Types of Housing Services

- Housing counseling
- Resident programs
- Jobs programs
- Homelessness prevention
- Youth activities
- Tenant based rental assistance



Resident Services



- Typically training to help residents become renters or homebuyers
- Often works to:
 - Increase homeownership
 - Meet housing standards
 - Foster life skills
 - Offer case management approach

Tenant Based Rental Assistance

- Helps family to afford rental housing
- Typically done as a payment to property owner
- May be portable, moves with family
- Family payment capped at 30% of adjusted income
- TBRA may be used to assist with deposits and other move in costs

TBRA Program Design Options

- General community-wide program
- Self-sufficiency program
- Targeted populations program
- Anti-displacement program
- Security deposit program
- College student housing



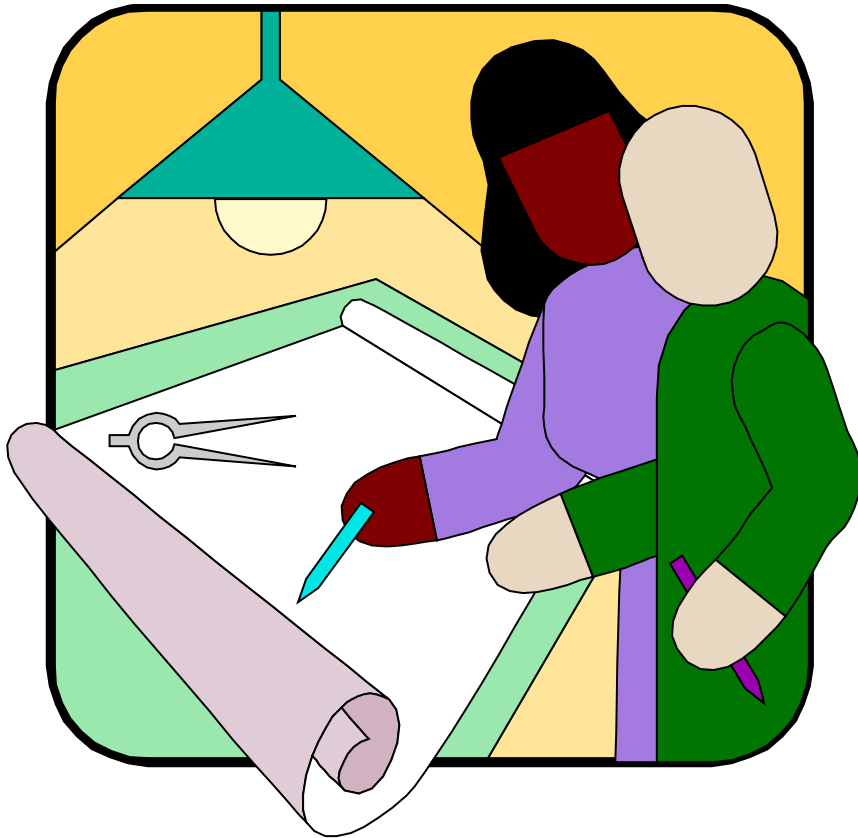
Example: Amount of Subsidy



OR Minimum Tenant Payment with 30% test

- Established dollar amount OR
- Percentage of income

Housing Management



- Work write-ups
- Inspections
- Specifications
- Loan processing
- Tenant selection
- Mediation
- Manage TBRA

Crime Prevention and Safety

- Physical improvements
 - Fencing
 - Speed bumps
 - Locks
- Services
 - Security personnel
 - Patrol equipment



Community Facilities



- Examples:
 - Community center
 - Recreation center
- Typically done as model activity
- Must be tied to affordable housing

Other Model Activities

- Office building for housing staff
- Warehouse, maintenance facility for housing
- Day care center for residents
- Student Housing
- Upgrade Community Generator System
- Water Treatment System

NOTE: see PIH 2024-08 for most recent information regarding Model Activities.

Program Delivery Options

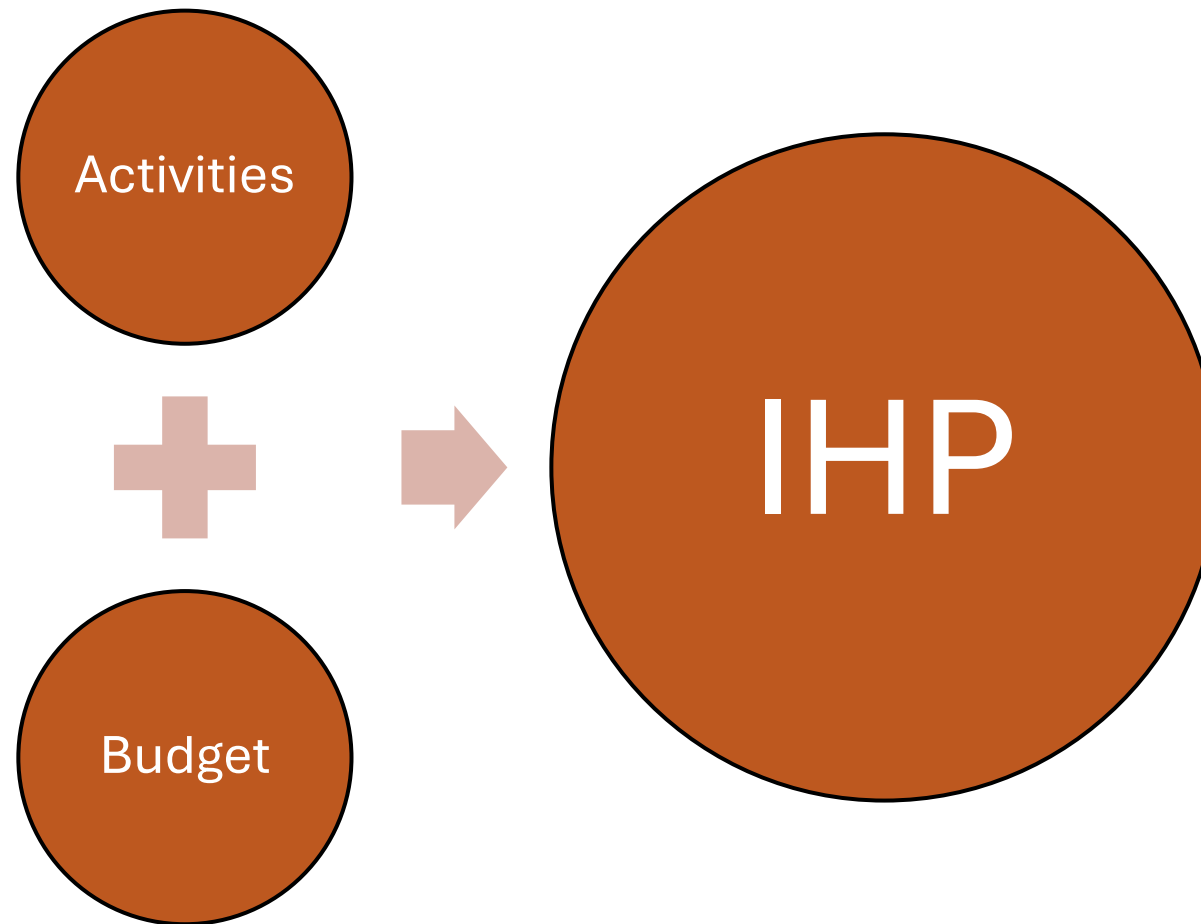
- Tribe or TDHE
 - Allows effective control of tasks
 - Make sure have needed expertise and capacity
- Subrecipient
 - Typically a nonprofit
 - Sign a written agreement
 - Requirements flow down
 - Need to monitor their activities

Section 9: The Indian Housing Plan (IHP) and The Annual Performance Report

Statutory Requirements

- Sections 102 & 103 of the Native Housing Assistance and Self-Determination Act (NAHASDA) & 24 CFR 1000, the implementing regulations
- To receive IHBG funds under the NAHASDA
 - IHP/APR must be submitted to HUD annually;
 - HUD must determine IHP/APR is compliant with NAHASDA

What is an IHP?



What is an IHP?

- An IHP is an Indian Housing Plan
- Required by HUD to receive IHBG funds
- Roadmap for responding to housing needs
- IHP spells out how recipient intends to use funds they receive under IHBG during the program year

IHBG Formula and the IHP

- **NO** relationship between formula components used to determine allocation and activities you propose in your IHP
- To challenge IHBG data:
 - Contact IHBG Formula Customer Service Center 1-800-410-8808
 - Refer to Section 2 IHBG Formula for additional information

Submitting the IHP/APR: Who?

- The IHBG Recipient submits the IHP/APR
 - Tribe or
 - Tribally designated housing entity (TDHE)
- If a TDHE has been designated by more than one Tribe:
 - TDHE may submit a separate IHP for each, or
 - Single IHP for all Tribes in its jurisdiction
- Be sure to include Tribal Certification(s)

Submitting the IHP: When?

- Submit IHP 75 days prior to start of program year (PY)
 - Effective management tool
 - Allows recipients to have their IHPs in place at start of PY
 - Failure to submit on time may result in NO IHBG!
- What if Congressional Appropriation is delayed?:
 - If the PY estimate is available, base IHP on PY estimate amount on Formula Response Form; otherwise, use actual grant amount from previous IHP
 - Revise IHP (internal only if no new activities) when actual amount known
 - ~~Update~~ **Note:** APR must include actual amount (required)

IHP Deadlines and Waivers

- Extension may be granted under exceptional circumstances.
- HUD cannot waive a due date outside of the statutory limit provided in Section 101(b)(2) of NAHASDA.
- Request waiver of the deadline -
 - Any time before or after the IHP submission deadline, however ...
 - Extension may only be granted for up to 90 days after the original deadline.

FFY 2025-2026 IHP Due Dates

FFY 2026	PY 2025/2026	IHP Due Date	Waiver Deadline
Oct. 1, 2025 – Sept. 30, 2026	Oct. 1 – Sept. 30	July 18, 2025	October 16, 2025
	Jan. 1, - Dec. 31	October 18, 2025	January 16, 2026
	Apr 1, - Mar. 31	January 16, 2026	April 16, 2026
	Jul. 1, - June 30	April 17, 2026	July 16, 2026

Submitting the IHP: How?

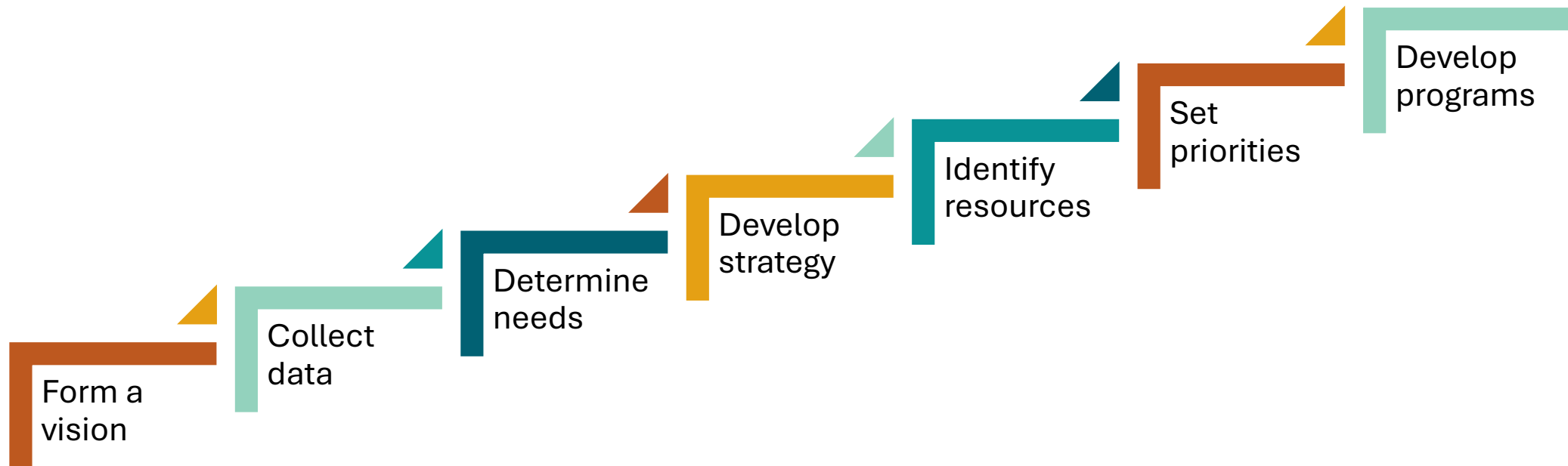
An IHP must be submitted to an Area ONAP using the Grants Evaluation Management System (GEMS)

- ~~HUD's Grants Evaluation Management System~~
- Reference: [PIH Notice 2023-26](#)
- GEMS Guide is linked in PIH Notice and located at:
https://www.hud.gov/sites/dfiles/PIH/documents/GEMS_Granttee_User_Guide.pdf
- IHP/APR Step By Step Guide:
<https://www.hud.gov/sites/dfiles/PIH/documents/IHPAPRGuidanceFinal.pdf>

GEMS

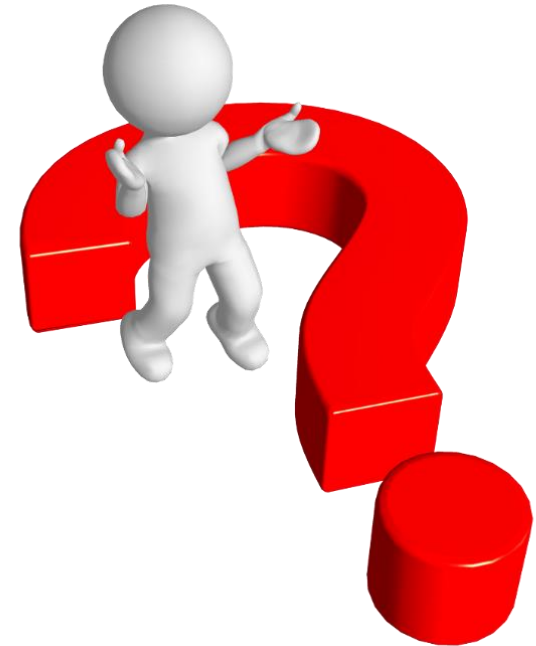
- What is GEMS? A HUD-information technology-based system originally designed to simplify the grant management process for Tribal recipients.
- GEMS doesn't change current program and grant administration requirements but modernizes administrative and reporting systems.
- GEMS replaces the Energy Performance Information Center (EPIC) to centralize and streamline required submissions and communications to reduce the administrative burden on recipients.

Recommended Steps in Developing IHP



Programs and Projects

- Programs are ongoing activities and are in every IHP
 - Maintenance
 - Administration
- Projects have specific start and end dates, and are dependent upon annual funding decisions
 - Development
 - Rental assistance



Key Sections of the IHP

- Cover page (Section 1)
- Housing Needs (Section 2)
- Program Descriptions (Section 3)
- Maintaining 1937 Act Units (Section 4)
- Budget (Section 5)
- Other Submission Items (Section 6)
- Certifications (Sections 7-9)

Section 1: Cover Page

- Purpose: Provide basic background info on recipient
- Statutory/Regulatory Sections: None
- Key Contents:
 - Grant Information
 - Grant number
 - Recipient program year
 - Federal fiscal year
 - Recipient (Contact) Information
 - Tribe/TDHE Information
 - Tax ID number
 - DUNS number (now required for all Federal grants)
 - CCR/SAM expiration date (updated annually)
 - Formula Grant Amount

SECTION 1: COVER PAGE

(1) Grant Number:

(2) Recipient Program Year:

(3) Federal Fiscal Year:

☐ IHBG-CARES

☐ (4) Initial Plan (Complete this Section then proceed to Section 2) or an Amended IHP

☐ (6) Annual Performance Report (Complete items 27-30 and proceed to Section 3)

☐ (7) Tribe

☐ (8) TDHE

(9) Name of Recipient:

(10) Contact Person:

(11) Telephone Number with Area Code (999) 999-9999 :

(12) Mailing Address:

(13) City: (14) State: (15) Zip Code (99999 or 99999-9999):

(16) Fax Number with Area Code (if available) (999) 999-9999 :

(17) Email Address (if available):

(18) If TDHE, List Tribes Below:

(19) Tax Identification Number:

(20) DUNS Number:

(21) CCR/SAM Expiration Date (MM/DD/YYYY):

(22) IHBG Fiscal Year Formula Amount:

(23) Name of Authorized IHP Submitter:

Page 1 of 23

Section 2: Housing Needs

- Purpose: Clearly describe the types of needs for recipients
- Statutory/Regulatory Sections: §1000.328, 102(c)(2)(A), 102(c)(2)(B), 102(c)(4)(C)
- Key Contents:
 - Number of low-income Indian families
 - Needs for all Indian families
 - Description of how activities meet needs
 - Geographic distribution of funds

ONE YEAR PLAN & ANNUAL PERFORMANCE REPORT

SECTION 2: HOUSING NEEDS

NAHASDA § 102(b)(2)(B)

(1) **Type of Need:** Check the appropriate box(es) below to describe the estimated types of housing needs and the need for other assistance for low-income Indian families (column B) and all Indian families (column C) inside and outside the jurisdiction.

(A) Type of Need	Check All That Apply					
	(B) Low-Income Indian Families			(C) All Indian Families		
(1) Overcrowded Households	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Renters Who Wish to Become Owners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) Substandard Units Needing Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) Homeless Households	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) Households Needing Affordable Rental Units	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6) College Student Housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(7) Disabled Households Needing Accessibility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(8) Units Needing Energy Efficiency Upgrades	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(9) Infrastructure to Support Housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(10) Other (specify below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(2) **Other Needs.** (Describe the "Other" needs below. Note: this text is optional for all needs except "Other."):

(3) **Planned Program Benefits.** (Describe below how your planned programs and activities will address the needs of low income families identified above. Also describe how your planned programs will address the various types of housing assistance needs NAHASDA § 102(b)(2)(B)):

(4) **Geographic Distribution.** Describe below how the assistance will be distributed throughout the geographic area and how this geographic distribution is consistent with the needs of low income families. NAHASDA § 102(b)(2)(B)(i)):

Section 3: Program Descriptions & Outputs

- **Purpose:** Describe recipient's programs & intended results
- **Statutory/Regulatory Sections:** §102(c)(1), 102(c)(4)(e-g)
- **Key Contents:**
 - Program description
 - Eligible activity
 - Intended outcomes
 - Beneficiaries & assistance
 - Planned outputs

APR: REPORTING ON PROGRAM YEAR PROGRESS

Complete the shaded section of text below to describe your completed program tasks and actual results. Only report on activities completed during the 12-month program year. Financial data should be presented using the same basis of accounting as the Schedule of Expenditures of Federal Awards (SEFA) in the annual audit. For unit accomplishments, only count units when the unit was completed and occupied during the year. For households, only count the household if it received the assistance during the previous 12-month program year. (NAHASDA § 404(b))

1.1. Program Name and Unique Identifier:

1.2. Program Description (This should be the description of the planned program.):

1.3. Eligible Activity Number (Select one activity from the Eligible Activity list. For any activity involving housing units as the output measure (excluding operations and maintenance), do not combine homeownership and rental housing in one activity, so that when housing units are reported in the APR they are correctly identified as homeownership or rental.):

1.4. Intended Outcome Number (Select one outcome from the Outcome list. Each program can have only one outcome. If more than one outcome applies, create a separate program for each outcome.):

Describe Other Intended Outcome (Only if you selected "Other" above):

1.5 Actual Outcome Number (In the APR identify the actual outcome from the Outcome list.):

Describe Other Actual Outcome (Only if you selected "Other" above.):

1.6 Who Will Be Assisted Describe the types of households that will be assisted under the program. Please note: assistance made available to families whose incomes fall within 80 to 100 percent of the median must be included as a separate program within this section.):

1.7. Types and Level of Assistance (Describe the types and the level of assistance that will be provided to each household, as applicable.):

1.8. APR: Describe the accomplishments for the APR in the 12-month program year. In accordance with 24 CFR § 1000.512(b)(3), provide an analysis and explanation of cost overruns or high unit costs.

Homeowner and Rental Activities

Do not combine homeownership and rental construction, acquisition, or rehab programs **activities** – for example if constructing 5 homeowner and 5 rental housing units, they must be two separate activities.

Programs, Eligible Activities, Outcomes, and Outputs

- Programs: What recipient-specific programs will be funded?
- Eligible Activities:
Pick list tied to NAHASDA-eligible activities
- Outcomes: What is the intended result?
Pick list tied to ONAP goals
- Outputs: How many units or households are planned?

Programs, Eligible Activities, Outcomes, Outputs: Example

- Program: Recipient will provide purchase assistance for first-time homebuyers who wish to buy in the four-county area.
- Eligibility Activity: Down payment/closing costs
- Outcome: Assist renters to become homeowners
- Who Will be Assisted: Low-income families
- Level and Type of Assistance: \$5,000 Cap, Grant
- Planned Outputs: four units

Guidance on Allowability, Outcomes and Outputs

Eligible Activity	Output Measure	Eligible Activity	Output Measure
(1) Modernization of 1937 Act Housing [202(1)]	Units	(13) Down Payment/Closing Cost Assistance [202(2)]	Units
(2) Operation of 1937 Act Housing [202(1)]	Units	(14) Lending Subsidies for Homebuyers (Loan) [202(2)]	Units
(3) Acquisition of Rental Housing [202(2)]	Units	(15) Other Homebuyer Assistance Activities [202(2)]	Units
(4) Construction of Rental Housing [202(2)]	Units	(16) Rehabilitation Assistance to Existing Homeowners [202(2)]	Units
(5) Rehabilitation of Rental Housing [202(2)]	Units	(17) Tenant Based Rental Assistance [202(3)]	Households
(6) Acquisition of Land for Rental Housing [202(2)]	Units	(18) Other Housing Services [202(3)]	Households
(7) Development of Emergency Shelters [202(2)]	Households	(19) Housing Management Services [202(4)]	Households
(8) Conversion of Other Structures to Affordable Housing [202(2)]	Units	(20) Operation and Maintenance of NAHASDA-Assisted Units [202(4)]	Units
(9) Other Rental Housing Development [202(2)]	Units	(21) Crime Prevention and Safety [202(5)]	Dollars
(10) Acquisition of Land for Homebuyer Unit Development [202(2)]	Units	(22) Model Activities [202(6)]	Dollars
(11) New Construction of Homebuyer Units [202(2)]	Units	(23) Self-Determination Program [231-235]	Units/ Dollars
Acquisition of Homebuyer Units [202(2)]	Units	(24) Infrastructure to Support Housing [202(2)]	Dollars
		(25) Reserve Accounts [202(9)]	N/A

Section 4: Maintaining 1937 Act, Demolition/Disposition

- **Purpose:** Describe how recipient will maintain 1937 Act units, describe any planned demo/disposition
- **Statutory/Regulatory Sections:**
§ 102(b)(2)(A)(iv)(I-III)
- **Key Contents:**
 - Describe how will maintain & operate 1937 units
 - Describe any planned demolition or disposition

Section 5(a): Sources of Funds

- **Purpose:** Describe recipient's funding sources to be used for housing purposes during coming Program Year
- **Statutory/Regulatory Sections:** §102(c)(3)(A), §102(c)(3)(B)
- **Key Contents:**
 - Funds on hand at beginning of year
 - Funds expected to be received during year
 - Anticipated expenditures for each funding source
 - Anticipated unexpended funds for each source at end of year
 - Must include anticipated receipt and use of Program Income

SECTION 5: BUDGETS

NAHASDA §§ 102(b)(2)(C), 404(b)

SOURCE	IHP					APR						
	(A) Estimated amount on hand at beginning of program year	(B) Estimated amount to be received during 12-month program year	(C) Estimated total sources of funds (A+B)	(D) Estimated funds to be expended during 12-month program year	(E) Estimated unexpended funds remaining at end of program year (C-D)	(F) Actual amount on hand at beginning of program year	(G) Actual amount received during 12-month program year	(H) Actual total sources of funding (F+G)	(I) Actual funds expended during 12-month program year	(J) Actual unexpended funds remaining at end of 12-month program year (H - I)	(K) Actual unexpended funds obligated but not expended at end of 12-month program year	
1. IHBG Funds			\$0		\$0			\$0		\$0		
2. IHBG Program Income			\$0		\$0			\$0		\$0		
3. Title VI			\$0		\$0			\$0		\$0		
4. Title VI Program Income			\$0		\$0			\$0		\$0		
5. 1937 Act Operating Reserves					\$0					\$0		
6. Carry Over 1937 Act Funds					\$0					\$0		
LEVERAGED FUNDS												
7. ICDBG Funds			\$0		\$0			\$0		\$0		
8. Other Federal Funds			\$0		\$0			\$0		\$0		
9. LIH			\$0		\$0			\$0		\$0		
10. Non-Federal Fu			\$0		\$0			\$0		\$0		
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
TOTAL Columns C & H, 2 through 10			\$0					\$0				

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Section 5(b): Uses of Funds

- Purpose: Describe recipient's programs on which funds will be used during the coming year
- Statutory/Regulatory Sections: §102(c)(3)(A), §102(c)(3)(B)
- Key Contents:
 - Prior and current year IHBG funds anticipated to be expended on each program
 - Prior and current year Other funds anticipated to be expended on each program

(2) Uses of Funding (NAHASDA § 102(b)(2)(C)(ii)) (Note that the budget should not exceed the total funds on hand (Column C) and insert as many rows as needed to include all the programs identified in Section 3. **Actual expenditures in the APR section are for the 12-month program year**)

PROGRAM NAME	IHP			APR		
	(L) Prior and current year IHBG (only) funds to be expended in 12-month program year	(M) Total all other funds to be expended in 12-month program year	(N) Total funds to be expended in 12-month program year (L+M)	(O) Total IHBG (only) funds expended in 12-month program year	(P) Total all other funds expended in 12-month program year	(Q) Total funds expended in 12-month program year (O+P)
Program Name			\$0			\$0
Planning and Administration			\$0			\$0
Loan repayment - describe in 3 & 4 below			\$0			\$0
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0

Page 11 of 23

Section 6: Other Submission Items

- **Purpose:** Describe various required items
- **Statutory/Regulatory Sections:** § 1000.142, 1000.108, 1000.120, 1000.302(3), 1000.238
- **Key Contents:**
 - Useful life
 - Model activities & over income
 - Tribal preference
 - Administration
 - Expanded formula area

Sections 7 – 9: Certifications

- **Purpose:** Provide various required certifications
- **Statutory/Regulatory Sections:** § 1000.20, 102(c)(5), 102(d), 104(b)
- **Key Contents:**
 - Compliance
 - Tribal certification
 - Tribal wage rates
 - Self-monitoring

Timeframes for IHP Review

- 60 days for original submission
- 30 days for amendments



Critical IHP Review Points

- Completeness – Are all required elements included?
- Eligibility – Are all activities eligible affordable housing activities under the Statute?
- Consistency – Are all Key Sections of the IHP internally consistent in a meaningful way?

IHP Revisions

Only Required for the following reasons:

1. Adding a new Activity
2. Reducing the amount budgeted for Operation and Maintenance of FCAS housing units



Exercise 6:

Sources and Uses of Funds

What is the APR?

- Describes recipient's performance for previous program year
- Highlights how recipient ensured compliance and financial accountability
- Provides statistics on unit quality and cost and program outcomes
- Used by recipient, Tribal members and HUD to provide feedback for program performance

Why is the APR Important?

- Statutory requirement
- Public comment
- Tool to track IHP progress
- Self-assessment and planning
- Technical assistance necessary from HUD
- Public information

Key Sections of the APR

- Actual Outcomes and Outputs
- Program Accomplishments
- Budget
- Expanded Formula Area
- Self Monitoring
- Inspections
- Audits
- Public Accountability
- Jobs Supported by NAHASDA

Cover Page

Information requested for the APR includes the following:

- Name of the recipient
- Name and title of person authorized to submit the APR
- Signature of person authorized to submit the APR
- Date of submission

Reporting on Programs

- Purpose: Document the recipient's performance review
- Statutory/Regulatory Sections: § 404(a), 404(b)(2), 404(b)(3), 24 CFR 1000.512
- Key Components:
 - Accomplishments
 - Reasons for delay
 - Outputs

Reporting on the Budget

Describes the actual sources and uses of funds for the 12-month program year

SECTION 5: BUDGETS

NAHASDA §§ 102(b)(2)(C), 404(b)

SOURCE	IHP					APR					
	(A) Estimated amount on hand at beginning of program year	(B) Estimated amount to be received during 12-month program year	(C) Estimated total sources of funds (A+B)	(D) Estimated funds to be expended during 12-month program year	(E) Estimated unexpended funds remaining at end of program year (C-D)	(F) Actual amount on hand at beginning of program year	(G) Actual amount received during 12-month program year	(H) Actual total sources of funding (F+G)	(I) Actual funds expended during 12-month program year	(J) Actual unexpended funds remaining at end of 12-month program year (H - I)	(K) Actual unexpended funds obligated but not expended at end of 12-month program year
1. IHBG Funds			\$0		\$0			\$0		\$0	
2. IHBG Program Income			\$0		\$0			\$0		\$0	
3. Title VI			\$0		\$0			\$0		\$0	
4. Title VI Program Income			\$0		\$0			\$0		\$0	
5. 1937 Act Operating Reserves					\$0					\$0	
6. Carry Over 1937 Act Funds					\$0					\$0	
LEVERAGED FUNDS											
7. ICDBG Funds			\$0		\$0			\$0		\$0	
8. Other Federal Funds			\$0		\$0			\$0		\$0	
9. LIH			\$0		\$0			\$0		\$0	
10. Non-Federal Fu			\$0		\$0			\$0		\$0	
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL Columns C & H, 2 through 10			\$0					\$0			

Reporting on Other Submission Items

- Purpose: New section where recipient describes expenditure of funds in expanded formula area (not required if recipient does not have an expanded formula area)
- Statutory/Regulatory Sections: 24 CFR 1000.302
- Key Components:
 - Actual expenditures in expanded formula area

Certifications

- Purpose: Provide self certification of compliance
- Statutory/Regulatory Sections: NAHASDA § 403(b) , 24 CFR § 1000.502)
- Key Components: Self-Monitoring

Importance of Self Monitoring

Self Monitoring ensures

- Compliance with rules and requirements
- Compliance with the Tribe/TDHE's policies and procedures
- Consistency with IHP
- Efficiency
- Effectiveness

Self-Monitoring Requirements

Recipients must

- Monitor grant activities in accordance with the IHP
- Complete a compliance assessment, including unit inspections
- Develop a corrective action plan to address any areas of noncompliance
- Must include a summary of results and corrective actions in APR

Other Sections

- Purpose: Capture remaining required items.
- Statutory/Regulatory Sections: § 403(b), 31 U.S.C. § 7501(a)(4), 1000.518, § 101(b)(2)
- Key Components:
 - Inspections
 - Audits
 - Public Accountability
 - Jobs Supported by NAHASDA
 - IHP Waiver Requests

APR Assessment

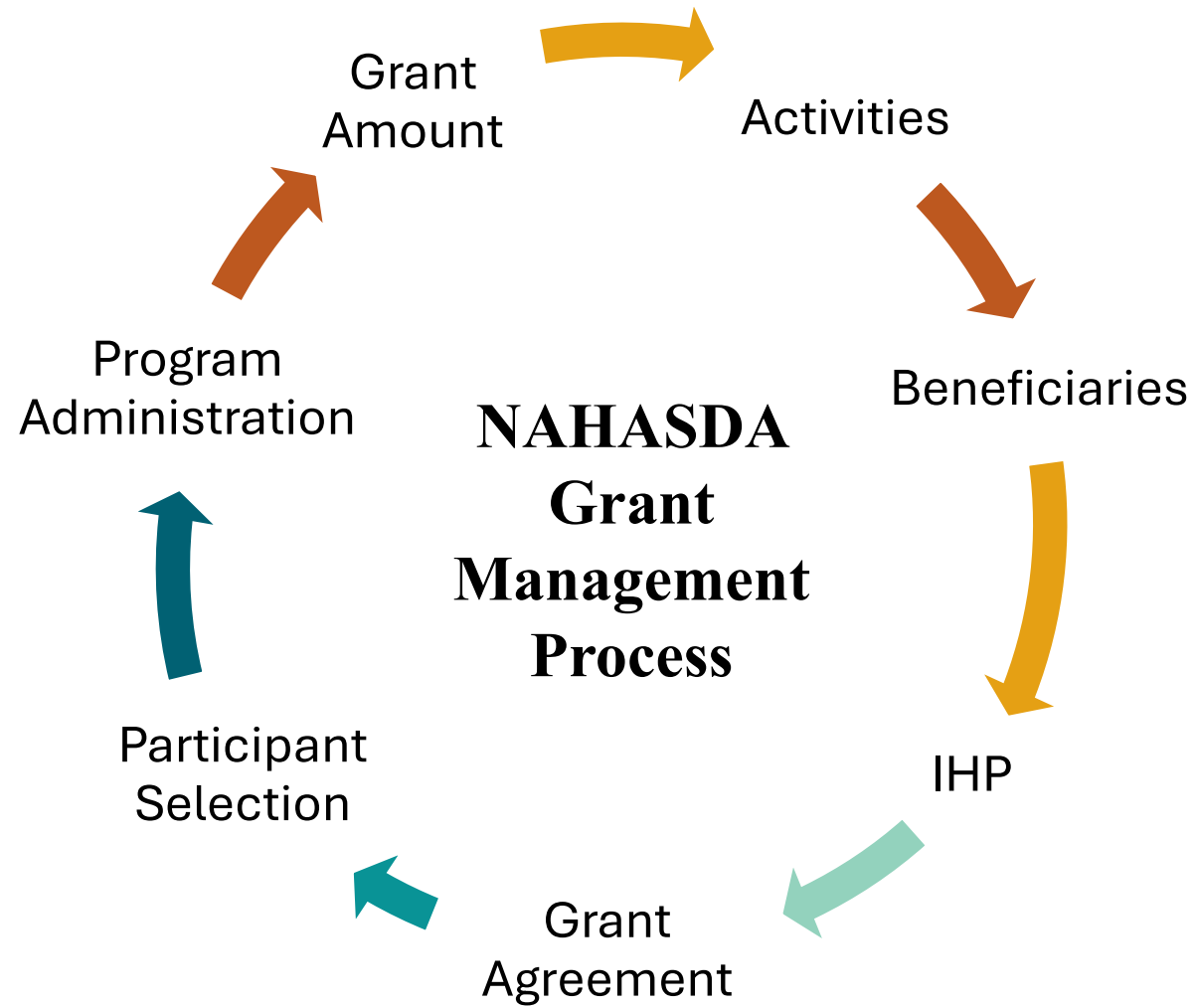
- On time? Due within 90 days of end of program year
- Complete? Sufficient data for review
- Accurate? Can you prove what you are reporting?
- Progress? Progress on IHP program/performance issues

HUD's Timeline

Receipt of APR

- 60 days to review APR and make recommendations in report to recipient
 - Carried out eligible activities in a timely manner and in accordance with NAHASDA
 - Complied with the IHP
 - Report is accurate

Section 10: Grant Management



Grant Agreement

- Sign agreement after plan found to be in compliance
- Legal document sets out grant award and obligation to follow requirements - HUD 52734B
- Other required forms
 - HUD 27054
 - SF 1199A
 - Lobbying certificate
 - Assurance of compliance
 - Indian preference certification

Grant Steps

- Complete grant agreement
- Obtain eLOCCS access
- Complete/submit other documentation



Electronic Line of Credit Control System (eLOCCS)

- Computerized cash management disbursement system
- Submit form HUD 27054 to get set up
- HUD enters budget into eLOCCS – draw against BLI (budget line item)
- Guidance 2014-08(R) provides instructions on accessing eLOCCS.

Reporting Under PIH Notice 2025-04

- If you are approved as an investment Tribe, submit quarterly SF 425 reports within 30 days of end of each quarter
- If you are not approved as an investment Tribe, submit an annual SF 425 within 90 days of end of the fiscal year

Section 11: Administrative Requirements

Types of Requirements

- Administrative & planning costs
- Operating policies
- OMB Uniform Administrative Requirements (2 CFR Part 200)
- Cooperation Agreements
- Subrecipient Agreements
- Total Development Costs (TDC)
- Useful Life
- Investments

Administrative & Planning Costs

What are admin/planning costs?

- Administrative management associated with
 - Using non-IHBG funds for affordable housing
 - Carrying out comprehensive & community development planning activities
- Coordination and monitoring
- IHP/APR preparation
- Formula challenge
- Overall program and/or administrative management

Administrative & Planning Costs

- Capped as follows
 - 20% of grant allocation or PY expenditures, whichever is greater, for recipients receiving more than \$500,000
 - 30% of grant allocation or PY expenditures, whichever is greater, for recipients receiving \$500,000 or less
- Request to exceed may be submitted with justification for HUD review/approval

Administrative & Planning Costs Related to Affordable Housing Activities

- May be expensed as administration and planning cost, or
- May be expensed as a cost for developing or operating the affordable housing activities:
 - Whole salary or pro-rated
 - Example – Development Director salary
- Establish cost allocation plan



Calculating the Maximum A&P for the IHP Budget

Example Grant Amount (a)	Maximum Percentage Allowed (b)	Maximum A&P Based on Grant Amount (a x b)	Example Estimated Expenditures (c)	Max A&P Based on Expenditures (b) x (c)
\$600,000	20%	\$120,000	\$450,000	\$90,000
\$300,000	30%	\$90,000	\$350,000	\$105,000

Maximum A&P to report on the APR

Note: if the cap is based on the estimated IHBG expenditures, and the actual IHBG expenditures are less than estimated in the IHP, the A&P expenditures cannot exceed the percentage used (20% or 30%) times the actual expenditures (or the IHP amount, whichever is greater)!

Maximum Admin and Planning - IHP

TRIBE 1: BUDGETED IHBG EXPENDITURES > IHBG GRANT					
IHBG Amount	Budgeted IHBG Expenditures	Applicable Cap %	Maximum Budgeted A&P		
\$510,000	\$600,000	20% CAP	\$120,000		
\$100,000	\$200,000	30% CAP	\$60,000		
TRIBE 2: BUDGETED IHBG EXPENDITURES < IHBG GRANT					
IHBG Amount	Budgeted IHBG Expenditures	Applicable Cap %	Maximum Budgeted A&P		
\$510,000	\$400,000	20% CAP	\$102,000		
\$100,000	\$50,000	30% CAP	\$30,000		

Maximum Admin and Planning - APR

TRIBE 1: BUDGETED IHBG EXPENDITURES > IHBG GRANT					
IHBG Amount	Budgeted IHBG Expenditures	Applicable Cap	Maximum Budgeted A&P	Actual IHBG Expenditures	Actual A&P Maximum
\$510,000	\$600,000	20%	\$120,000	\$400,000	\$102,000
\$100,000	\$200,000	30%	\$60,000	\$150,000	\$45,000
TRIBE 2: BUDGETED IHBG EXPENDITURES < IHBG GRANT					
IHBG Amount	Budgeted IHBG Expenditures	Applicable Cap	Maximum Budgeted A&P	Actual IHBG Expenditures	Actual A&P Maximum
\$510,000	\$400,000	20%	\$102,000	\$600,000	\$120,000
\$100,000	\$50,000	30%	\$30,000	\$60,000	\$30,000

Reserves for A&P Costs (24 CFR 1000.239)

May establish a reserve account for accumulation of A&P costs as follows:

- Less than or equal to $\frac{1}{4}$ of the 5-year average of A&P costs expended by the recipient,
- Must be related to affordable housing, and
- Must be stated in the IHP.

Uniform Administrative Requirements (2 CFR 200)

- Management systems
- Procurement
- Reporting & recordkeeping
- Conflict of interest
- Audit
- Allowable, unallowable costs

Subparts at a Glance

Subpart A (200.0 - 99)

- Acronyms and Definitions

Subpart B (200.100 - 113)

- General Provisions

Subpart C (200.200 - 213)

- Pre-Federal Award Requirements and Contents of Awards

Subpart D (200.300 - 345)

- Post Federal Award Requirements

Subpart E (200.400 - 475)

- Cost Principles

Subpart F (200.500 - 521)

- Audit Requirements

12 Appendices – I through XII

Cooperation Agreement Provisions

- Agreement with local government to ensure that local government services will be provided to the housing
- The housing is exempt from all real and personal property taxes
- Payment in lieu of taxes (PILOT) may be negotiated between the recipient and the local government up to the maximum amount to compensate local government for service costs

Cooperation Agreements

- Only needed when IHBG spent on units owned by recipient
 - What services provided
 - Pay PILOT
- Not needed when:
 - Owned by someone else
 - Raw land
- Can now be waived



Cooperation Agreements

- Recipients may request a waiver of the cooperation agreement and tax exemption requirements.
- Recipient must show that it has pursued and exhausted all reasonable channels.
- Request waiver in writing and
 - Demonstrate good faith effort
 - Identify housing units involved
 - Provide all pertinent background information

Cooperation Agreement References

- NAHASDA Sec.101 (c)((d)(e)
- 24 CFR 1000.240 to 246 – “Cooperation Agreements, Taxation, and Request for Waiver”
- ONAP Program Guidance No. 2003-02 “Local Cooperation Agreements”

Total Development Costs

- Pursuant to the IHBG regulations at 24 CFR 1000.156, affordable housing developed, acquired, or assisted under the IHBG program must be of moderate design, and is subject to limitations on cost or design standards.
- As specified in 24 CFR §1000.156, affordable housing must be of moderate design. For these purposes, moderate design is defined as “housing that is of a size and with amenities consistent with unassisted housing offered for sale in the Tribe’s general geographic area to buyers who are at or below the area median income.”

Total Development Costs (continued)

- TDC limits are published periodically by HUD and establish the maximum amount of funds (from all sources) that an IHBG recipient may use to develop or acquire/rehabilitate affordable housing. **PIH Notice 2024-28** includes the updated schedule for the maximum amount of funds that may be used for affordable housing.
- The recipient must complete a comparison of the cost of developing or acquiring/rehabilitating the affordable housing with the limits provided by the TDC and may not, without prior HUD approval, exceed the TDC maximum cost for the project.

Useful Life (Affordability Period)



“Useful Life” is the period during which low-income rental housing and low-income homebuyer housing must remain affordable as required in Sections 205 (a)(2) and 209 of NAHASDA

Useful Life

- Requires that housing units must remain affordable for either
 - the remaining useful life of the property (as determined by the Secretary)
 - such other period that the Secretary determines is the longest feasible period of time
- Requires useful life description in the IHP
- Applies to new and rehab units using IHBG or Title VI funds
- Does not apply to Mutual Help units

Example:

IHBG Funds Invested	Affordability Period
Under \$5,000	6 months
\$5,001 - \$15,000	5 years
\$15,001 - \$40,000	10 years
Over \$40,000	15 years
New construction or acquisition of newly constructed housing	20 years

Minor Investments

- If the period is less than a year it is not necessary to record the written use restriction for purposes of complying with NAHASDA.
- It is good business practice to record the use restriction for purposes of giving notice to subsequent purchasers.

Binding Agreement

- Binding agreement satisfactory to HUD is
 - A written use restriction agreement, developed by the recipient, and placed on an assisted property for the period of its useful life
- Program Guidance 2020-02 provides sample binding agreements

ATTACHMENT 2

NATIVE AMERICAN HOUSING ASSISTANCE AND SELF- DETERMINATION ACT USEFUL LIFE/USE RESTRICTION, (Indian Housing on Fee Land with Single Recovery Amount)

THE FOLLOWING PROPERTY (HEREIN AFTER THE **Property**) IS HEREBY MADE SUBJECT TO
A LIEN AND COVENANT RUNNING WITH THE LAND:

Address: _____
Located at: _____
Lot _____, in the subdivision known as _____,
shown by map on file in Book No. _____, pages _____ through _____,
of Maps _____, Records of County of _____,
and State of _____.
or
Legal description: _____

This Useful Life/Use Restriction, a covenant running with the land (hereinafter the **Land Restriction**), dated this _____ day of _____, 20____, for good and valuable consideration, is hereby declared covenanted and made by _____ (hereinafter the **Owner**), who is the owner(s) of the Property. The Land Restriction is imposed because Indian Housing Block Grant (IHBG) funds to benefit the Property have been granted or loaned by _____, an Indian Tribe or an Indian or Alaska Native tribally designated housing entity (hereinafter the **Tribe**), to assist or facilitate low-income Indian housing.

1. DEED RESTRICTED

1.1 Use Restrictions. The Property shall be used only for residential purposes and that residential occupancy shall only be by individuals or families who are members of, or are headed by a member of, a federally recognized tribe or an eligible State recognized tribe who are low-income. The terms "federally recognized tribe," "State recognized tribe" and "low-income" are as defined in the Native American Housing Assistance and Self-Determination Act (hereinafter **NAHASDA**), 25 U.S.C. §§ 4101, et seq.

1.2 Subsequent Owners. Family or household members who take Subsequent Ownership will not be subject to the binding agreement. However, the binding commitment will not terminate upon subsequent family/household ownership, the binding commitment will not apply to the family/household. Any subsequent transfer by the family member or household member to a third party (not a family member or household member) is subject to this Land Restriction for the remaining affordability period.

1.2 Restricting Owners. All of the rights, restrictions and agreements in this Land Restriction shall be deemed to be covenants and a deed restriction placed on the Property and Owner and binding and

Examples of Useful Life/Use Restrictions for Fee Land

- Fee Land - Single Recovery Amount
 - Requires that the full amount of IHBG and/or Title VI assistance be refunded (returned to the Tribe/TDHE) should the property be sold or transferred prior to the end of the useful life/affordability period
- Fee Land – Pro-rated Recovery Amount
 - Amount of IHBG and/or Title VI funds invested in the property may be pro-rated over the life of the restriction.
 - In the event of a default, only the current prorated amount must be refunded.

Recommended Tracking Method

Maintain a spreadsheet with

- Property Address
- Owners Name
- IHBG \$\$ spent
- Affordability Period Assigned
- Date assisted
- Form of Binding Commitment

ATTACHMENT 1

[illegible]

INSTRUCTIONS AND NOTES:

1. Unit number
2. Physical address and/or physical location of unit
3. Fee or Trust
4. Detached Single-Family or Multi-Family Building
5. TDHE, Individual, Tax Credit Partnership, etc.
6. Date when assistance provided
7. Down payment, rehabilitation, rent subsidy, new construction, etc.
8. Enter dollar amount
9. IHBG, ICDBG, Tax Credits, Recipient Imposed, etc.
10. Deed, Lease Addendum, Contract, Promissory Note
11. Total Months
12. Date use restriction begins
13. Date use restriction ends

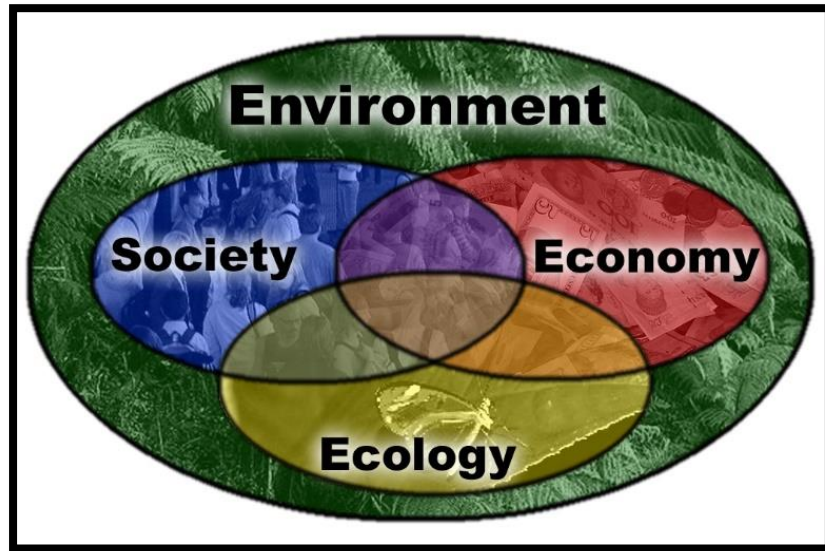
Section 12: Other Federal Requirements

Overview

- Other federal requirements cited in NAHASDA
- Apply to recipients
- May apply to other entities (subrecipients, contractors, developers, etc.)



Environmental Review



Applicable requirements include

- National Environmental Policy Act of 1969 (NEPA)
- Related authorities in 24 CFR parts 50 and 58

Refer to most recent requirements stated in [PIH 2024-24](#)

Environmental Review

- Tribes may assume review responsibility or may request HUD to retain review responsibility
- If HUD retains responsibility, Tribe must provide HUD with all relevant information
- Level of review is based on the type of activity

Environmental Review Categories

Exempt	Categorical Exclusions (not subject to 58.5)	Categorical Exclusions (subject to 58.5)	Environmental Assessments
<ul style="list-style-type: none">•Administrative•Engineering•Feasibility study	<ul style="list-style-type: none">•Rental assistance•Operating costs•Down payment assistance	<ul style="list-style-type: none">•Utility upgrades•Accessibility modifications•Rehab 1-4 unit structures (with restrictions)•Rehab larger structures (with restrictions)	<ul style="list-style-type: none">•All projects not exempt or categorically excluded

Flood Insurance

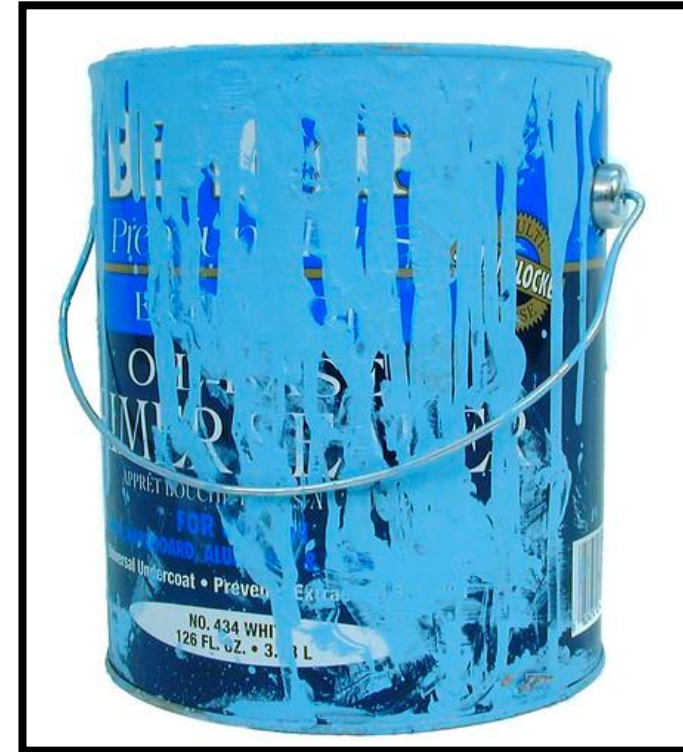
- If in FEMA, identified special flood hazard area requires either
 - Participation in National Flood Insurance Program or
 - Private flood insurance
- Many reservations have not been mapped by FEMA
- Refer to new [Part 55 Final Rule](#) on Flood Plain management published April 23, 2024.

Lead-Based Paint

Lead regulation - 24 CFR part 35.
Took effect 9/15/2000

For more information

https://www.hud.gov/program_offices/healthy_homes/healthyhomes/lead



Lead-Based Paint

- Four approaches to addressing LBP
 - Do no harm - small rehab <\$5k
 - Identify and stabilize - TBRA and homebuyer
 - Identify and control - \$5k-\$25k rehab
 - Identify and abate - >\$25k
- All four approaches require:
 - Clearance testing
 - Use of safe work practices (may include trained or certified workers)

Relocation and Acquisition

- Notify relocating families, individuals, businesses, and other affected parties
- Pay temporary relocation and displacement benefits. The cost of relocation assistance is an eligible project cost and may be paid from Tribal, TDHE, or other funding source

Relocation and Acquisition



Acquisition is subject to 49 CFR part 24, subpart B

- Negotiating fair market value when voluntary transaction
- Follow involuntary procedures when required by URA

Non-Discrimination Requirements

24 CFR 1000.112

- Age Discrimination Act
- Section 504 of the Rehabilitation Act
 - Qualified disabled persons have access to programs and activities
 - 504 applies to all NAHASDA-related activities
- Indian Civil Rights Act

Davis-Bacon Requirements

Davis-Bacon labor standards are applicable to NAHASDA programs (§1000.16)

- Tribe may adopt prevailing wage rates
- Prevailing wage rates as determined by DOL must be paid for laborers and mechanics for all construction and rehab
- Does not apply to contracts with less than \$2,000 in labor

Other Labor Requirements

- Contracts over \$100k are subject to Contract Work Hours and Safety Standards Act
- Copeland Act (40 USC 276c) - allowable paycheck deductions
- Fair Labor Standards Act of 1938 - minimum wage and overtime requirements

Indian Preference

- Grants are subject to Section 7(b) of the Indian Self-Determination and Education Assistance Act
- Training and employment opportunities given to Indians (§1000.50) and preference in award of contracts (§1000.52)

Indian Preference

- Certify policies and procedures or Tribal code/regulations are in place
- Preference clauses must be incorporated into contracts
- Program Guidance 2013-07 Indian and Tribal Preferences in Employment and Contracting in IHBG acknowledges Tribal regulations for Indian preference in procurement.

Section 13: Financial Management

What is Financial Management?

- Helps housing business to run smoothly
- Includes:
 - Effective cost management
 - Internal controls
 - Recordkeeping
 - Auditing

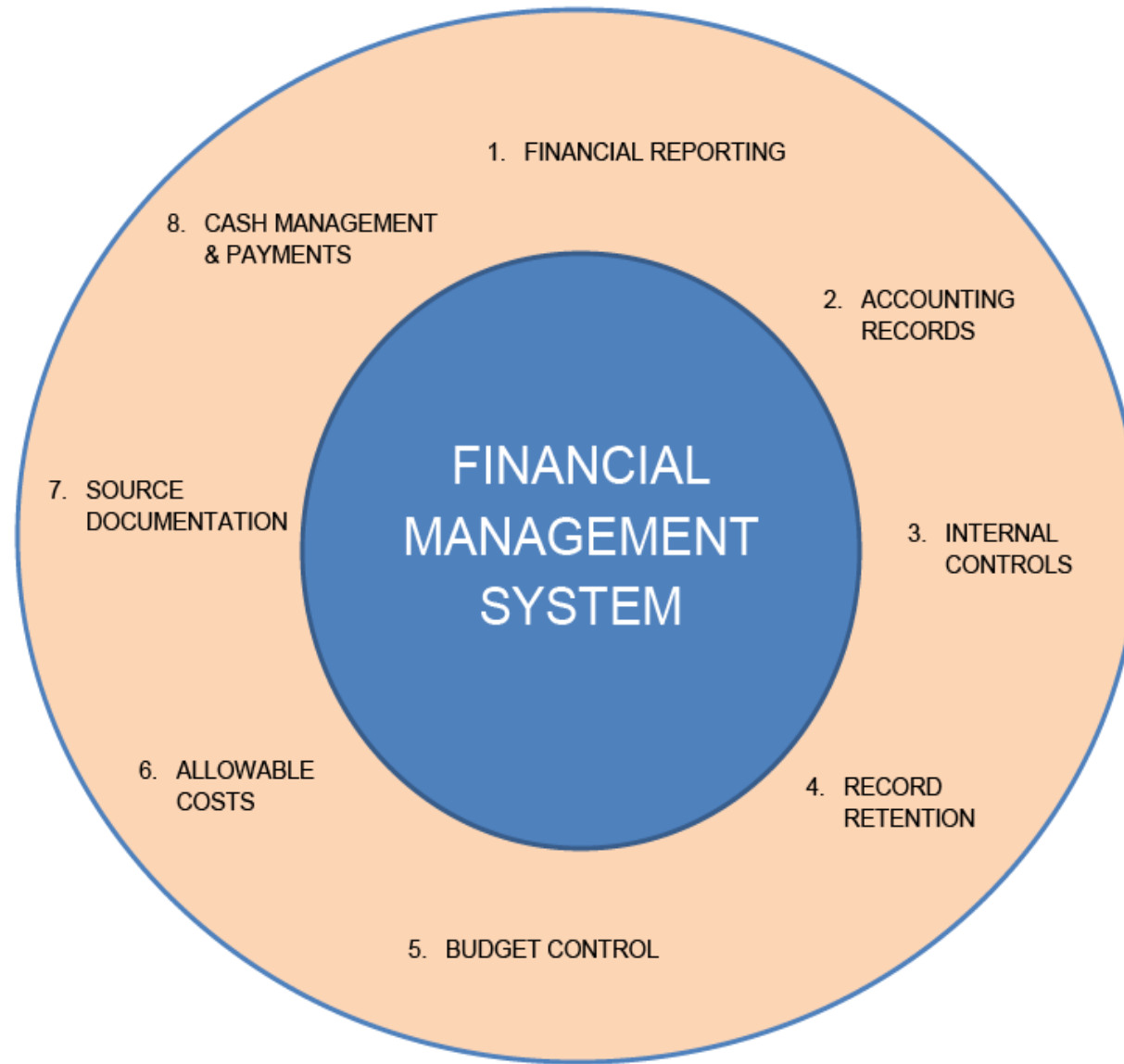


Benefits of A Sound Financial Management System

- Long term financial planning;
- Accurately organize grant activities;
- Effective and efficient use of the NAHASDA funds;
- Achieve program objectives and fulfill commitments of the IHP; and
- Demonstrates accountability to the Tribe, HUD, and Tribal members

Overview Of Financial Management System

- One size does not fit all – tailor to staffing and organizational structure
- Refer to 2 CFR 200 Post Federal Award 200.302-309 for financial management system and internal control standards
- Refer to NAHASDA 1000.26 Administrative Requirements for NAHASDA specific requirements



Internal Controls Objectives



Areas of Internal Control

Control Environment

- Management sets reasonable budgets; identifies allowable expenditures.

Risk Assessment

- Managers and staff are required to use the written policies and procedures as guidance to identify allowable or unallowable costs.

Information and Communication System

- Department managers compare monthly budget and actual expenditures to review for accuracy and initiate corrections, if needed.

Control Activities

- Managers follow established written procedures for authorization and approval of purchases based on approved budget, prior to purchase.

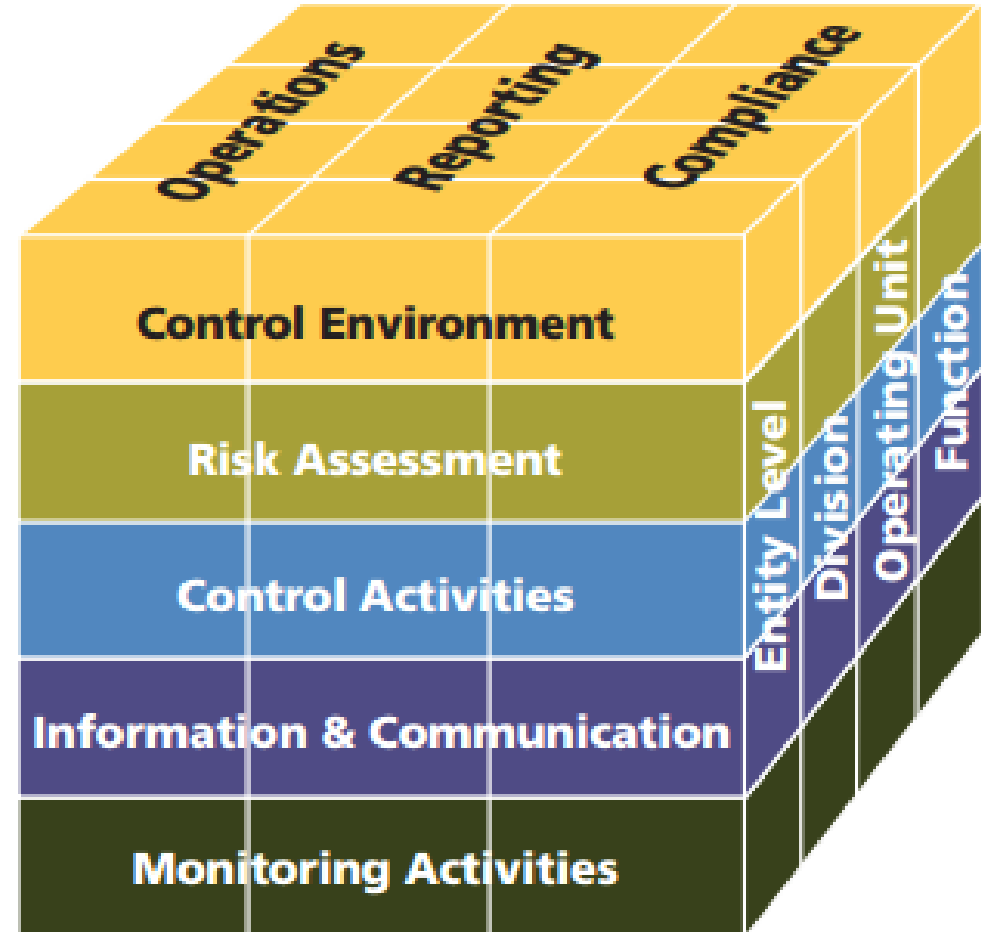
Monitoring

- Accounting provides financial reports to managers for monthly review; includes the reports to the Board.

Internal Controls Exercise

Name an internal control for each of the following:

- Cash collections
- Cash disbursements
- Payroll disbursements
- Assets
- Petty cash
- Self monitoring

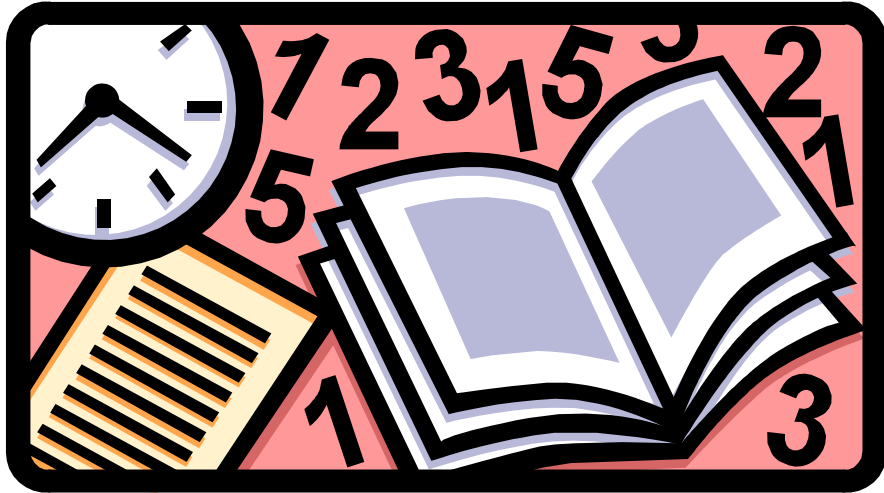


Why is budgeting important?

- Budgets help set targets
- Strategy requires funding
- Identify Tribal priorities
- Control and Accountability
- Required by Uniform Guidance §200.302(b)(5): *The Financial Management System must provide for comparison of expenditures with budget amounts for each Federal award.*
- When the Tribe/THDE undertakes the time to budget, they are making a deliberate decision to plan their financial goals for the short and long term.

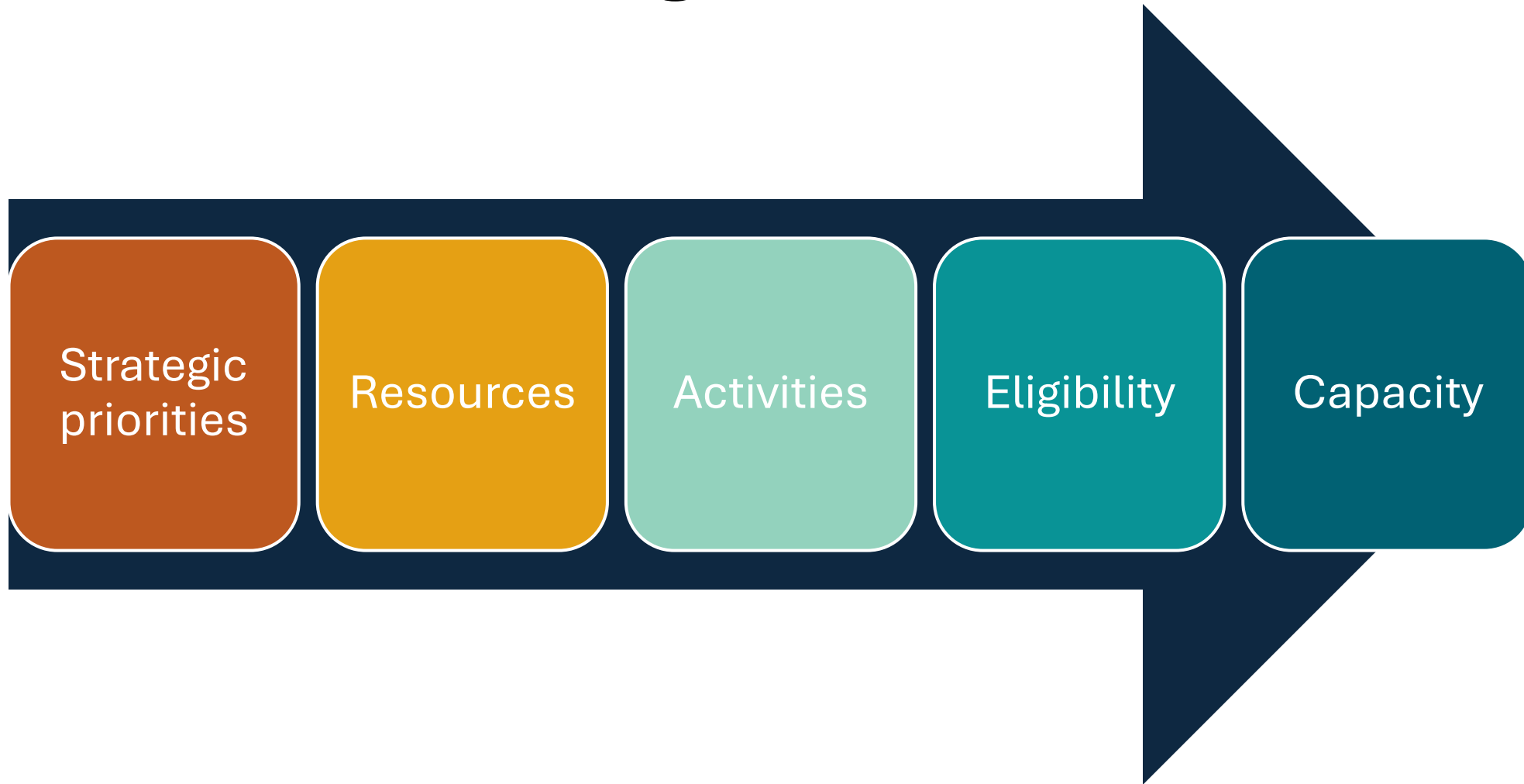


Budgeting



- Plan to accomplish goals with the funds available
- Budgets are expected to be realistic estimates of sources and uses of funds
- Submit as Section 5 of IHP

Budget Process



Procurement

2 CFR Part 200.317-327: OMB
Uniform Administrative
Requirements, Cost Principles &
Audit Requirements for Federal
Awards



Build America Buy America Act (BABA)

- BABA applies to any project that involves the construction, alteration, maintenance or repair of public infrastructure, regardless of whether the infrastructure is the primary purpose of the project.
- PIH-2024-35 (Revised January 15, 2025) includes the requirements for the Tribe/TDHE, including language in bids and contracts for public infrastructure projects.
- At a minimum, the procurement records must include documentation of determining BAP applicability. Even if the project is exempt, documentation of the determination should be kept in the Procurement files.
- If BAP applies, the recipient must include all terms and conditions for the contractor/subrecipient to comply with the requirements prior to any purchase of covered materials.

Build America Buy America Act (BABA)

- Prior to starting the project, the Tribe/TDHE should determine if the project will be considered Public Infrastructure and subject to BABA
- The Tribe/TDHE is responsible for documentation and record retention of the decision.
- If the project involves construction, maintenance, alteration, and repair of 1-4 dwelling units, the project is not subject to Buy America Preference (BAP)
- Construction, maintenance, alteration, and repair of 5 or more dwelling units will be considered Public Infrastructure and subject to BAP

Build America Buy America Act (BABA)

- Awards and subawards at or below \$2,500,000 are exempt from BABA if
 - The total award is less than \$2,500,000 AND
 - The award does not exceed \$2,500,000 for the life of the project
- Tribal recipients may purchase non-compliant manufactured products when expending HUD Federal Financial Awards that were obligated on or before September 30, 2026.
- **PIH 2024-35 (Revised) Appendix C includes a checklist the Tribe/TDHE can use to determine whether BAP applies**

Procurement Methods 2 CFR 200.320

Micro Purchases

- Under \$10,000 in aggregate*
- No quotes necessary
- De Minimis – NAHASDA specific, under \$5,000 in aggregate

Small Purchases

- \$10,000 to \$250,000
- Minimum 2 quotes

Sealed Bidding

- IFB
- Lowest responsive and responsible bidder

Competitive Proposals

- RFP
- Most advantageous proposal

Non-competitive

- Emergency
- Sole Source
- HUD approval
- Lack of competition

NOTES:

- See PIH Notice 2023-01 (Updated Guidance) for additional information
- Recipients must follow their Procurement Policy
- *Can be increased to \$50,000 with proper documentation of self-certification

Procurement Requirements

- Written policies and procedures regarding
 - Competition
 - Methods of procurement to be followed
 - Contract cost and price
 - Awarding agency review
 - Bonding (*2 CFR 200.325 and 24 CFR 1000.26(a)(11) provide acceptable methods when inconsistencies exist*)
 - Contract provisions
 - Conflict of interest

Procurement and Indian Preference

Section 7(b) of Indian Self-Determination and Education Assistance Act

- Preference for Indian organizations and enterprises
- Document if Indian preference not feasible
- Applies on-site and off
- Certify policies adopt preference

Conflict of Interest – Procurement

2 CFR 200.318(c)

- The Recipient must maintain written standards of conduct covering conflict of interest and governing the actions of staff involved in the selection, award, and administration of contracts.
- No person may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest.

Conflict of Interest – Procurement

2 CFR 200.318(c)

- Conflicts arise when the employee, officer, agent, any member of his or her immediate family, partner, or a firm who employs or is about to employ any of the above parties has a financial interest in or personal benefit from a firm considered for contract.
- Officers, employees, and agents of a Recipient may neither solicit nor accept gratuities, favors, or anything of monetary value from any party to contracts.

Conflict of Interest

24 CFR 1000.30

- *Conflicts prohibited.* No person who participates in the decision-making process or who gains inside information with regard to NAHASDA assisted activities may obtain a personal or financial interest or benefit from such activities
 - **Exception:** the use of NAHASDA funds to pay salaries or other related administrative costs.
- Such persons include anyone with an interest in any contract, subcontract or agreement or proceeds thereunder, either for themselves or others with whom they have business or immediate family ties.
- Immediate family ties are determined by the Indian Tribe or TDHE in its operating policies.

Conflict of Interest – Procurement

2 CFR 200.318(c)

- The Recipient may set standards for situations in which the gift is an insignificant item of nominal value
- Standards of Conduct must include disciplinary actions for violations
- It is the responsibility of the person with the Conflict of Interest to disclose the conflict and remove themselves from the process.

Conflict of Interest

24 CFR 1000.30

- The Conflict of Interest provision does not apply in instances where a person who would be included in the conflict provision is low income and selected for participation in accordance with the Recipient's policies,
- Recipient will make both a public disclosure of the assistance and basis for selection
- Recipient will provide disclosure to ONAP before admission

Debarred Contractors



- 24 CFR 1000.44 – prohibitions on debarred, suspended, and ineligible contractors
- Check
 - Contractors
 - Subcontractors
 - Lower-tier contractors
 - Subrecipients

Program Income

24 CFR Part 1000.62 and PIH Notice 2025-01 (Updated guidance)

- Program income is defined as any income that is realized from the disbursement of NAHASDA grant amounts. It does not include:
 - Non-Program Income defined as a portion of the income realized from the operation of 1937 Act housing units
 - Proceeds from the sale of 1937 Housing Act Mutual Help units
 - Developer fees associated with the development of LIHTC housing units
 - Interest earned on P&A Reserve Accounts
 - Other amounts as defined in PIH 2025-01

Calculating Program Income from the Operation of 1937 Housing Act Rental Units

Total Annual Rental Income (Actual cash received and not on an accrual basis) from a 1937 Act Project		A	\$XXXX
No. of Units to use in calculation:			
Total Units in the Project	# Units		
Less: Units that exceed 40% of the 1997 DC&E	(# Units)		
No. of Units	# Units		
Times 46% of the Tribe/TDHE's AEL	\$XXXX		
Equals NON-PROGRAM INCOME		B	\$XXXX
PROGRAM INCOME (A minus B)			<u>\$XXXX</u>

Example 2

1. Four-unit project
2. Rents received = \$200 per unit per month
3. AEL = \$400

Total Annual <u>Receipts</u>	$4 \times \$200 \times 12$	\$9,600.00
Rent attributed to 1937 Housing Act	$4 \times (46\% \text{ of } \$400^*) \times 12$	$(\$8,832.00)^*$
Program Income	$\$9,600 - \$8,832$	$\$768.00^{**}$

*Non-Program Income – no restrictions

**Program Income – must be used for Housing Related Activities

Investments

- NAHASDA allows recipient to draw down for financial investment subject to HUD approval (PIH 2025-05)
- Only certain types of investment allowable
- Can only invest if:
 - No unresolved audit findings
 - Tribe is self governing or has admin capacity

Investments

- Can invest IHBG annual grant in an amount equal to the annual formula grant amount
- Maximum term is 5 years.
- Interest earned on funds invested greater than 5 years must be returned to HUD

Section 14: Recordkeeping and Reporting

Accounting Records

- Establish a good system
 - Reduces future findings
 - Speeds retrieval of information for reporting
- Good records and procedures allow the recipient to:
 - Establish fiscal control
 - Monitor program performance
 - Control cash flow

Record Keeping

- Requirements in subpart F of regulations
- Maintain records for a minimum of 3 years after the end of the program year that the funds were expended
- If audit or other action, keep 3 years or end of action, whichever is longer.

What Records to Keep

General Administrative - related to admin of program

- IHPs
- Agreements
- Policies
- APR
- Organizational docs



What Records to Keep

- Financial - meet audit requirements such as:
 - Procurement docs
 - Contracts
 - Audits
 - Budgets
- Other documents required by other Federal programs or funding sources

What Records to Keep

Project specific – should include:

- Project eligibility
- Participant eligibility
- Environmental
- Procurement
- Monitoring



File Management Requirements

Written procedures for identifying:

- Documentation required for tenant
- Programmatic files
- The manner in which files are to be retrieved and stored.

Procurement Files

- Statement of work and/or work write-up
- Independent cost estimate
- Evidence of publication of solicitation with Indian Preference
- Solicitation mailing list
- Technical Evaluation Plan (RFP – competitive proposals only)
- Solicitation, amendments and approvals
- Bids or Proposals

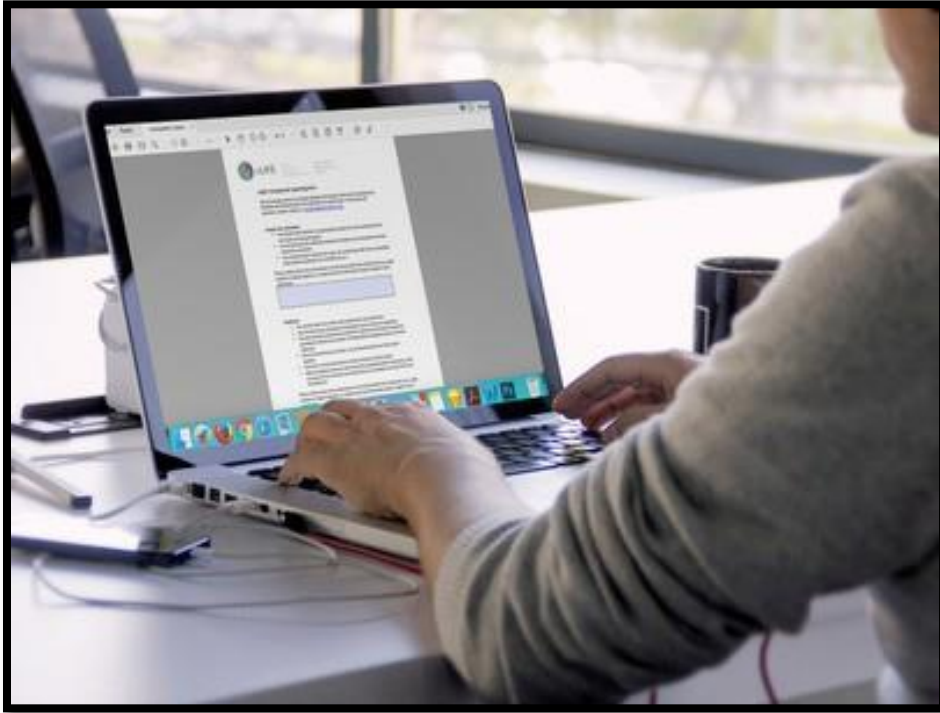
Procurement Files continued

- Technical Evaluations-RFP
- Cost or price analysis
- Competitive range determination and negotiation objectives (competitive proposals)
- Memorandum of negotiations & selection decision (competitive proposals)
- Bid tabulation
- Documentation regarding debarred/suspended list of contractors
- Award document and Notice to Proceed
- Letters to unsuccessful bidders

Procurement Files continued

- Bond and Insurance Certificates
- Records of pre-bid/proposal and post-award conferences
- Contract modifications and supporting documents (i.e., cost/price analysis)
- Request for payments and supporting inspection reports and lien waivers
- Final inspection and completion certificate

Reporting Requirements



- Annual Performance Report
- Federal Financial Report (SF-425)
- Self-Monitoring Report
- Audit Report

Reporting: Federal Financial Report Standard Form (SF) 425

- **REVISED SUBMISSION REQUIREMENTS FOR SF-425s:** Except for IHBG recipients authorized to invest IHBG funds, all ONAP grant recipients are expected to submit a single completed SF-425 for each open grant at the end of their program year. IHBG investment-approved recipients will continue to submit an SF-425 each quarter for the IHBG formula program.
- See PIH 2025-04 for more information.

Reporting: Self Monitoring

- Required by NAHASDA 24 CFR 1000.502 and NAHASDA Statute 403 (b)
 - Identifies potential problems
 - Good internal control
- Results reported in APR
- TDHE provides Self Monitoring report to the Tribe
- Tribe is ultimately responsible for ensuring corrective actions identified are fixed

What's Monitored?

IHBG Program

- Compliance with Program requirements, statutes and regulations
- On-site inspection of assisted housing
- Compliance with IHP
- Compliance with Recipient's policies and procedures
- Subrecipients

How is it Monitored?

- Standard operating procedures review
- Management interviews
- Inspection of assisted housing units



What if I find problems?



- Develop Corrective Action Plan
 - Develop/revise policies
 - Develop/revise Internal Control Procedures
 - One on one training as needed
- Request assistance/training from HUD

HUD Monitoring

- Review will cover current year and 2 prior years unless sampling reveals non-compliance
- Sample –
 - Inspection – greater of 10 dwelling units or 10% of all units
 - Client files – greater of 10 files or 10% of all files
- Self-Monitoring Mutual Agreements (SMMA)



HUD Performance Measures

24 CFR 1000.524

- a) The recipient has complied with the required certifications in its IHP and all policies and have been made available to the public.
- b) Fiscal audits have been conducted on a timely basis and in accordance with the requirements of the Single Audit Act, as applicable. Any deficiencies identified in audit reports have been addressed within the prescribed time period.
- c) Accurate annual performance reports were submitted to HUD in accordance with §1000.514, including making available to the public.
- d) The recipient has met the IHP-planned activities in the one-year plan.
- e) The recipient has substantially complied with the requirements of 24 CFR part 1000 and all other applicable Federal statutes and regulations.

Reporting: Audit Requirements

2 CFR 200 Subpart F

- The Single Audit Act consolidates and allows for one audit rather than multiple audits of each federal grant a Tribe receives.
- \$1,000,000 or more in federal funds spent in the fiscal year must have a single audit or program-specific audit in accordance with the provisions of Subpart F of 2 CFR 200.
- Conduct in accordance with 200.514 Scope of audit.



Prepare for the Audit

1. Procure an Auditor: Peer Review must be requested from Auditor. Non-submission or submission of “fail” peer review may disqualify the auditor from consideration.
2. Be prepared to provide items to auditor and must give them access to your records
3. Know all your federal awards (CFDA, Award Number, etc)
4. Prepare the Financial Statements, schedules & Schedule of Expenditures of Federal Awards (SEFA)
5. Be timely:
 - Complete the Audit
 - Submit to Federal Audit Clearinghouse on time! Earlier of:
 - 30 days after receipt of the auditor’s report, or
 - 9 months after the end of the audit period.

Allowable Audit Costs

NAHASDA funds can be used to pay a proportional share of the cost of the audit, IF an audit is required.



Auditee Responsibilities

2 CFR 200.508



(a) Procure the single audit. Refer to 200.509 – Audit Selection



(b) Prepare the schedule of expenditures of Federal awards (SEFA). Refer to 200.510 Financial Statements



(c) Prompt follow-up and corrective actions on audit findings. Refer to 200.511 – Audit Findings Follow-up



(d) Provide auditor with access to records (Personnel, records, etc.)

Section 15: Maintenance

What is Maintenance?



Definition

- Keeping in an existing state
- Preserving from failure or decline

NAHASDA Requirements

- Maintain owned and managed units
- Allocate funds to provide for the continued maintenance and efficient operations of housing inventory
- Identify the manner in which inventory will be protected and maintained

Benefits of a Good Maintenance Plan

- Attracts new tenants
- Manages time well (proactive)
- Reduces costs
- Facilitates tenant satisfaction/retention
- Supports sale or releasing
- Minimizes risk

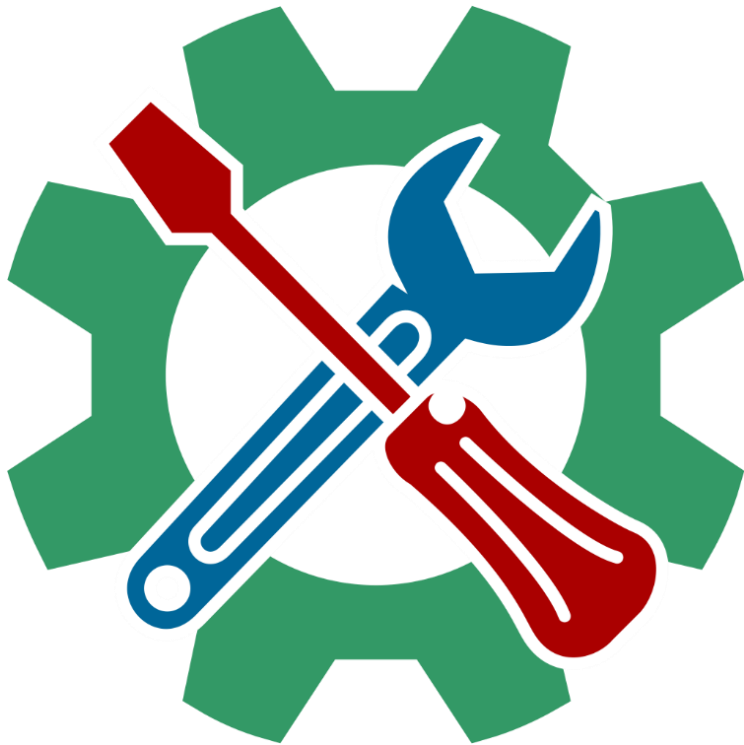


Maintenance Planning

Compiling a Maintenance Manual

- Written policies and procedure
- Delegation of responsibilities
- Type of maintenance activity and tasks
- Outlines common problems & solutions
- Location of as-built drawings
- Forms, reports, and work orders

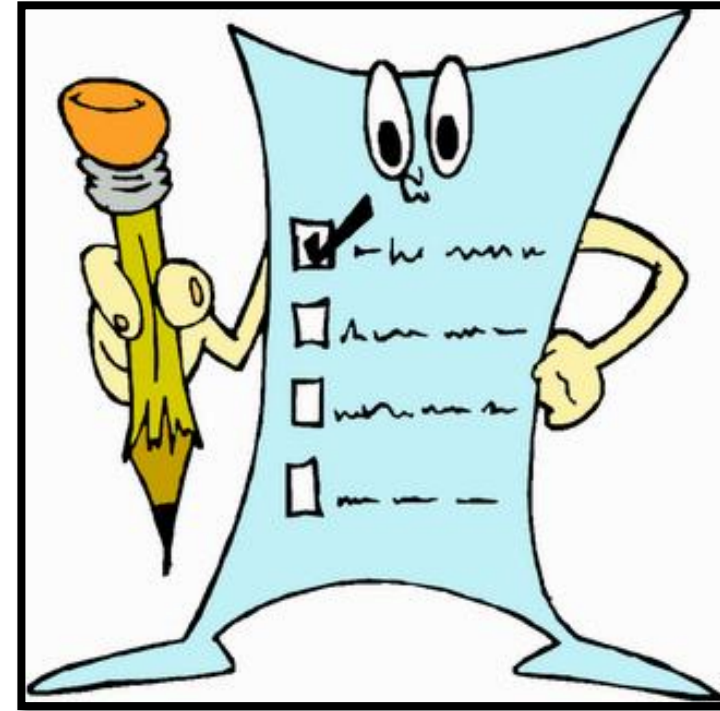
Maintenance Types



- Preventive
- Corrective
- Routine/Janitorial
- Emergency
- Cosmetic
- Deferred

Scheduling

- Preventive Maintenance - Annual Basis, by Month
- Routine Maintenance - Monthly Basis, by Week
- Daily Maintenance - Schedule Work for the Next day



Budgeting

- Itemize by
 - Labor
 - Supplies
 - Contract costs
- Always capture
 - Maintenance type
 - Unit type
 - Program type
- Gather Data
 - Routine
 - Non-routine
 - Tenant damage
 - Capital Improvements
 - Preventative
 - Environmental upgrades

Standard Operating Procedures

Develop appropriate:

- Checklists and forms
- Job descriptions
- Subcontractor lists
- Cost data tracking mechanisms

Purchasing Maintenance Items

- Done in accordance with Procurement policies and procedures
- Who has authority?
- Purchasing limits w/o approval
- Purchase orders
- Competitive bidding - based on cost, quality, reputation, timeliness, warranties and guarantees

How to Purchase Supplies

- Assess average use and need
- Assess local availability of parts
- Keep a supply of hard-to-get parts
- Buy in quantity: consider costs of storage
- Select quality vendors
- Buy quality materials
- Follow Procurement policy for guidelines on micropurchase and small purchase of supplies

Inventory Storage

- Convenient location
- Adequate storage
- Clean, organized & safe
- Label any chemicals
- Limit access
- Sign-out/security system
- Use date codes



Work Orders

- Code/filing #
- Date of issue
- Date/time of action
- Signature of issuer
- Description of work to be performed or problem to be solved
- Description of equipment necessary
- Charge account #
- Required craft: plumbing, electrical
- Work performed
- Materials used
- Time to complete work
- Date/time start/complete

Work Order Procedures

- Work Order (W.O.) issued
- W.O. received by maintenance dept.
- Maint. Supervisor reviews and clears W.O.
- Maint. Supervisor assigns W.O. to appropriate staff and sets schedule
- Work is completed
- W.O. returned and recorded

Property Inspections



- Exterior
- Interior
- Unit
- Curb Appeal
- Daytime/evening/weekend

Move-In Inspection

- Both recipient & tenant must be present
- Documents condition of unit and acts as a basis for all future inspections
- The move-out inspection is compared to the move-in inspection – tenant is charged for all damage that is beyond normal wear & tear

Monthly Inspections - Optional

- New tenant's home inspected on a monthly basis for the first 3 months.
- If compliant, tenant graduates to home inspections every 3 months.



Annual Inspections

- Once the tenant graduates to annual inspection, they remain on annual inspections unless tenant damage or improper housekeeping is noted.
- If tenant damage or improper housekeeping occurs the tenant will be placed on monthly inspections until the problem is cured.

Move-Out Inspection

- Within 24 hours of tenant moving out.
- Move-Out Inspection compared to Move-In Inspection and prior inspections.
- Maintenance Department determines costs for any repairs
 - Tenant damage
 - Wear and tear
 - Upgrades
 - Etc.

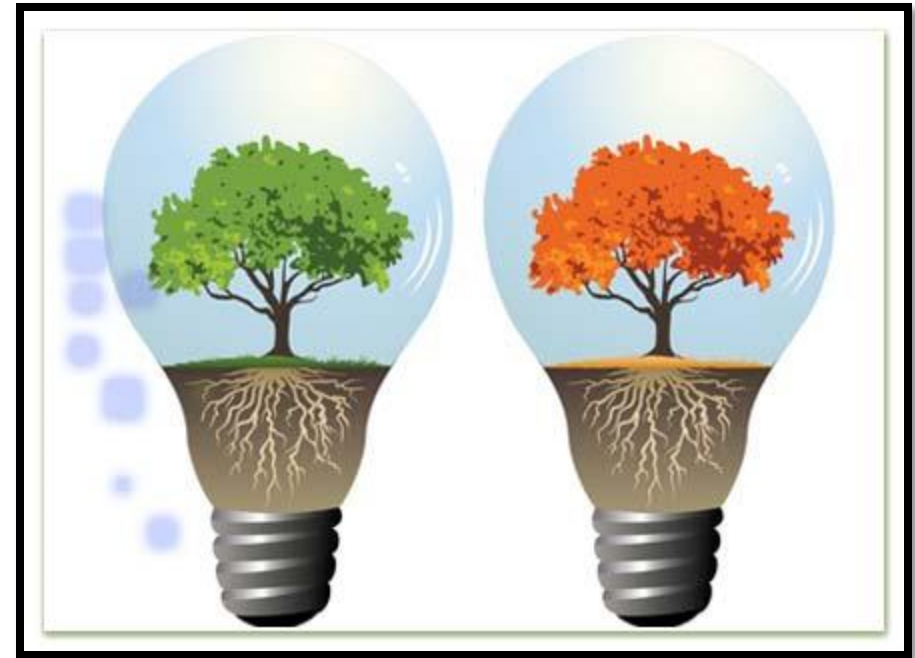
Accident Prevention Measures



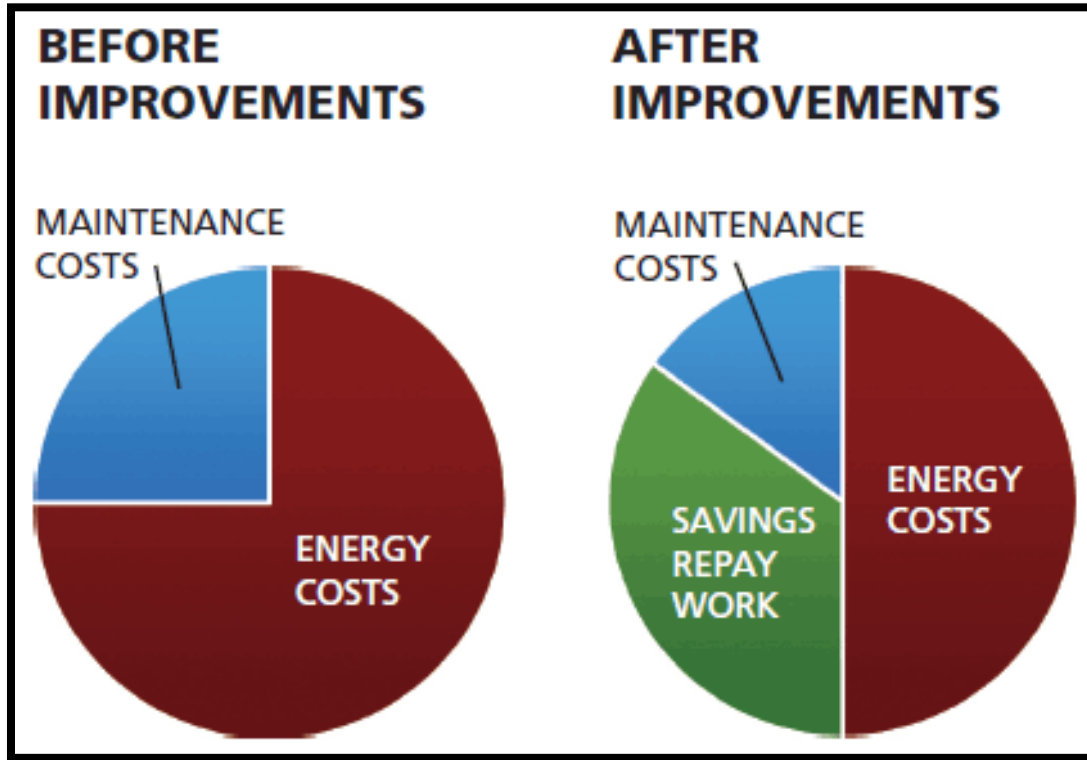
- Liability - reasonable effort
- Safety - slippery surfaces
- Security - keys, locks, lighting
- Emergency - fire & weather hazards

Energy Conservation

- Resident education
- Energy audits of buildings
- Lighting - fluorescent, smaller wattage
- De-lamping
- Water - flow control devices
- Operational maintenance
- Landscaping



Energy Management Plan



- Collect energy consumption information
- Define measures which will save energy
- Look for third party resources
- Implement plan
- Evaluate results



Questions?

Thank you!!