

# **SWINOMISH HOMEOWNER ASSISTANCE FUND POLICY**

## **INTRODUCTION**

The Swinomish Indian Tribal Community (SITC or Tribe) remains committed to developing a housing strategy to help tribal members obtain and keep, whether through rental or ownership, homes on the Swinomish Reservation.

## **PURPOSE**

The Tribe received funding from the US Department of Treasury's Homeowner Assistance Fund (HAF), which was established under section 3206 of the American Rescue Plan Act of 2021 (ARP) to provide assistance for homeowners to mitigate financial hardships associated with the coronavirus pandemic.

The purpose of the Swinomish Homeowner Assistance Fund policy is to support the Tribe's provision of assistance to eligible tribal homeowners to prevent mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and homeowner displacement.

This policy incorporates guidance available at <https://home.treasury.gov/system/files/136/HAF-Guidance.pdf>, which includes the initial April 14, 2021 Treasury guidance, the August 2, 2021 Treasury guidance, the November 12, 2021 Treasury update, and the February 24, 2022 guidance.

## **POLICY DEFINITIONS**

**100% of the area median income** for a household means two times the income limit for very- low income families, for the relevant household size, as published by the Department of Housing and Urban Development (HUD) in accordance with 42 U.S.C. 1437a(b)(2) for purposes of the HAF. When determining area median income with respect to tribal members, tribal governments and TDHEs may rely on the methodology authorized by HUD for the Indian Housing Block Grant Program as it pertains to households residing in an Indian area comprising multiple counties (see HUD Office of Native American Programs, Program Guidance No. 2021-01, June 22, 2021).

**100% of the median income for the United States** means the median income of the United States, as published by HUD for purposes of the HAF.

**150% of the area median income** for a household means three times the income limit for very- low income families, for the relevant household size, as published by HUD in accordance with 42 U.S.C. 1437a(b)(2) for purposes of the HAF. When determining area median income with respect to tribal members, tribal governments and TDHEs may rely on the methodology authorized by HUD for the Indian Housing Block Grant Program as it pertains to households residing in an Indian area comprising multiple counties (see HUD Office of Native American Programs, Program

Guidance No. 2021-01, June 22, 2021).

**Dwelling** means any building, structure, or portion thereof that is occupied as, or designed or intended for occupancy as, a residence by one or more individuals.

**Elder or disabled household** means a household that contains an elder or a disabled person.

**Financial hardship** means a material reduction in income or material increase in living expenses associated with the coronavirus pandemic that has created or increased a risk of mortgage delinquency, mortgage default, foreclosure, loss of utilities or home energy services, or displacement for a homeowner.

**HAF participant** means an eligible entity that receives funds from the HAF.

**Mortgage** means any credit transaction

1. That is secured by a mortgage, deed of trust, or other consensual security interest on a principal residence of a borrower that is (a) a one- to four-unit dwelling, or (b) a residential real property that includes a one- to four-unit dwelling; and
2. The unpaid principal balance of which was, at the time of origination, not more than the conforming loan limit. For purposes of this definition, the conforming loan limit means the applicable limitation governing the maximum original principal obligation of a mortgage secured by a single-family residence, a mortgage secured by a two-family residence, a mortgage secured by a three-family residence, or a mortgage secured by a four-family residence, as determined and adjusted annually under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2)) and section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)). A reverse mortgage, a loan secured by a manufactured home, or a contract for deed (also known as a land contract) may fall within this definition if it satisfies the criteria in this paragraph, in accordance with applicable state law.

## **QUALIFIED EXPENSES**

Qualifying expenses include:

1. mortgage payment assistance;
2. financial assistance to allow a homeowner to reinstate a mortgage or to pay other housing-related costs related to a period of forbearance, delinquency, or default;
3. mortgage principal reduction, including with respect to a second mortgage provided by a nonprofit or government entity;
4. payment assistance for:
  - a. homeowner's utilities, including electric, gas, home energy (including firewood

- and home heating oil), water, and wastewater;
  - b. homeowner's internet service, including broadband internet access service, as defined in 47 CFR 8.1(b) (or any successor regulation);
  - c. homeowner's insurance, flood insurance, and mortgage insurance;
  - d. homeowner's association fees or liens, condominium association fees, or common charges, and similar costs payable under a unit occupancy agreement by a resident member/shareholder in a cooperative housing development; and
  - e. down payment assistance loans provided by nonprofit or government entities;
5. payment assistance for delinquent property taxes to prevent homeowner tax foreclosures;
  6. measures to prevent homeowner displacement, such as home repairs to maintain the habitability of a home, including the reasonable addition of habitable space to alleviate overcrowding, or assistance to enable households to receive clear title to their properties;

### **ARREARAGES PRE-JANUARY 2020**

Arrearages of qualified expenses are eligible for purposes of HAF regardless of the date they were incurred, including if they arose before January 2020.

### **SUPPLANTING NOT ALLOWED**

Funding from the HAF will not be used to replace other loss-mitigation resources that would otherwise be available.

### **DUPLICATION OF ASSISTANCE.**

An Eligible Homeowner that occupies a Dwelling for which that Homeowner is receiving or has already received other federal assistance may receive HAF Program assistance, if HAF Program Funds are not applied to costs that have been or will be reimbursed under any other federal assistance. To the extent feasible, the Tribe will ensure that any financial assistance provided to an Eligible Homeowner pursuant to the HAF Program Funds is not duplicative of any other Federally funded rental assistance provided to such Homeowner.

If an Eligible Homeowner receives homeowner assistance other than through the HAF Program, the HAF Program Funds may only be used to pay for costs that are not paid for by the other homeowner assistance. When providing HAF Program Funds, the Tribe must review the Eligible Homeowner's income and sources of assistance to confirm that the HAF Program Funds do not duplicate any other assistance, including federal, state, and local assistance provided for the same costs.

### **ELIGIBLE HOMEOWNERS**

Swinomish Tribal Member homeowners are eligible to receive assistance if they experienced a

financial hardship after January 21, 2020 (including a hardship that began before January 21, 2020, but continued after that date) and have incomes equal to or less than 150% of the area median income or 100% of the median income for the United States, whichever is greater. Assistance can only be provided to homeowners with qualified expenses related to the dwelling that is the homeowner’s primary residence.

Applicants are required to attest that they experienced financial hardship after January 21, 2020. The attestation must describe the nature of the financial hardship (for example, job loss, reduction in income, or increased costs due to healthcare or the need to care for a family member).

**INCOME DETERMINATIONS**

Financial assistance for qualified expenses is available to homeowners with incomes equal to or less than 150% of the area median income for their household size or 100% of the median income for the United States, whichever is greater. Most of the funds are reserved for homeowners with incomes less than or equal to 100 percent of the area median income for their household size or the median income for the United States, whichever is greater. The Secretary of Housing and Urban Development determines each of these income calculations. The following income limit table, available from [https://www.huduser.gov/portal/datasets/il/il2021/select Geography haf.odn](https://www.huduser.gov/portal/datasets/il/il2021/select_Geography_haf.odn) will be used to determine household eligibility.

FY 2021 HAF Income Limits Summary for Mount Vernon-Anacortes, WA MSA								
	1-Person	2-Person	3-Person	4-Person	5-Person	6-Person	7-Person	8-Person
Greater of 100% AMI or 100% US Median Income	\$79,900	\$79,900	\$79,900	\$82,300	\$88,900	\$95,500	\$102,100	\$108,650
Greater of 150% AMI or 100% of US Median Income	\$86,450	\$98,800	\$111,150	\$123,450	\$133,350	\$143,250	\$153,100	\$163,000

**DOCUMENTATION**

- A. General Eligibility Requirements: Applicants are required to provide:
  1. Written attestation of financial hardship;
  2. Proof of Income:
    - a) a written attestation as to household income together with supporting documentation such as paystubs, W2s or other wage statements, IRS Form 1099s, tax filings, depository institution statements demonstrating regular income, or an attestation from an employer; OR
    - b) a written attestation as to household income and the Tribe may use a reasonable fact-specific proxy for household income, such as reliance on data regarding

- average incomes in the household's geographic area; OR
- c) Census Bureau demographic data will be used to support fact-specific proxy for household income.
  3. Proof of Owner occupancy: utility bill reflecting homeowner as payer, or homeowner attestation.
  4. Proof of Primary residence: homeowner attestation
  5. Proof of Identity: Including but not limited to tribal enrollment card, driver's license, passport, social security card or other documentation establishing identity, provided this documentation requirement shall not operate as a barrier to participation and program staff will assist in confirming identity.

**B. Program Specific Requirements:**

1. Mortgage Reinstatement Program: Proof of Delinquency/Outstanding Property Charges: Documentation or attestation from mortgage servicer/lender, or documentation from homeowner.
2. Mortgage Payment Assistance Program and Mortgage Default Resolution Program: Statement from mortgage servicer establishing all options for loss mitigation or forbearance have been exhausted and are unavailable. In the event the homeowner cannot obtain loss mitigation or other documentation establishing forbearance is unavailable, program staff will contact the appropriate Tribal agencies or work with the homeowner to obtain the information.
3. Documentation to facilitate payment to mortgage servicer or lender.
4. Property Charge Default Resolution Program and Utility/Internet/Broadband Payment Assistance Program:
  - Proof of delinquency;
  - For prospective utility, internet or broadband support, written attestation that assistance is not available from another source and homeowner has the financial capability of resuming payments after 90 days.
5. Other Assistance: Attestation or documentary evidence of other federal or state homeowner assistance, if any, for eligible expenses covered by this HAF program.

In the event that households cannot provide proof of past due mortgages, taxes or other bills, program staff may contact the appropriate Tribal agencies for current account balances and work with applicant to contact other payees as needed.

**WAIVERS OR EXCEPTIONS**

Waivers or exceptions to this documentation requirement will be provided when necessary to accommodate extenuating circumstances, such as disabilities, practical challenges related to the pandemic, or a lack of technological access by homeowners; in these cases, program staff are still responsible for making the required determination regarding household income and documenting that determination.

**TARGETING**

Elder and disabled households will receive first priority for targeted funds. At least 60% of the program funds will be prioritized for qualified expenses that assist homeowners having incomes equal to or less than 100% of the area median income or equal to or less than 150% of the median income for the United States, whichever is greater. Any amount not made available to homeowners that meet this income-targeting requirement will be prioritized for Elder and disabled households.

**ALLOWABLE PROGRAM ELEMENTS**

The Swinomish Homeowner Assistance Fund adopts the standard terms provided by Treasury and will keep all program elements open. The maximum amount of assistance for each eligible household across all program elements is \$10,000.00. The Tribe reserves the right to reevaluate the program maximum for specific types of delinquencies.

<b>Mortgage Reinstatement Program Term Sheet</b>	
<b>Criteria</b>	<b>Terms</b>
<b>Brief description</b>	<ol style="list-style-type: none"> <li>1. To eliminate or reduce past due payments and other delinquent amounts, including payments under a forbearance plan, on forward mortgages, reverse mortgages, loans secured by manufactured homes, or contracts for deed.</li> <li>2. To bring account fully current with no remaining delinquent amounts and to repay amounts advanced by the lender or servicer on the borrower’s behalf for property charges, including property taxes, hazard insurance premiums, flood/wind insurance premiums, ground rents, condominium fees, cooperative maintenance fees, planned unit development fees, homeowners’ association fees, utilities that the servicer advanced to protect lien position, OR any reasonably required legal fees.</li> <li>3. To supplement only other loss mitigation options offered by the servicer under investor requirements or where, without HAF funds, the homeowner would not qualify for that loss mitigation option.</li> </ol>
<b>Maximum Assistance per homeowner</b>	The maximum amount of assistance for each eligible household across all program elements is \$10,000.00, unless funding allows otherwise.
<b>Homeowner eligibility criteria/documentation requirements</b>	<p>Same as General Eligibility Requirements plus:</p> <ul style="list-style-type: none"> <li>• Statement of current ability to resume any required regular payments after account is reinstated OR Ability to resume any required regular payments with assistance from Grantee Mortgage Payment Assistance Program.</li> <li>• For reverse mortgages, Homeowner is either in default due to property charges or has entered a repayment plan to repay such charges, and homeowner otherwise qualifies.</li> </ul> <p>Homeowner Eligibility Documentation required:</p> <ul style="list-style-type: none"> <li>• Homeowner attestation of financial hardship;</li> <li>• Proof of Income: The household may provide a written attestation as to household income together with supporting documentation such as paystubs, W2s or other wage statements, IRS Form 1099s, tax filings, depository institution statements demonstrating regular income, or an attestation from an employer; OR</li> </ul> <p>The household may provide a written attestation as to household income and the Tribe</p>

	<p>may use a reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household's geographic area.</p> <p>In the event that households cannot provide proof of past due mortgages, taxes or other bills, program staff may contact the appropriate Tribal agencies for current account balances and work with applicant to contact other payees as needed.</p> <ul style="list-style-type: none"> <li>• Owner occupancy: utility bill reflecting homeowner as payer, or homeowner attestation.</li> <li>• Primary residence: homeowner attestation</li> <li>• Proof of I.D.: Including but not limited to tribal enrollment card, driver's license, passport, social security card or other documentation establishing identity, provided this documentation requirement shall not operate as a barrier to participation and program staff will assist in confirming identity.</li> </ul>
<b>Loan eligibility criteria specific to the program</b>	<p>Delinquent by at least one payment, including any payments during a forbearance period or, in the case of a reverse mortgage, has outstanding property charges whether in default or in repayment plan.</p> <p>Loan Eligibility Documentation Required:</p> <ul style="list-style-type: none"> <li>• Delinquency/Outstanding Property Charges: Documentation or attestation from mortgage servicer/lender, or documentation from homeowner. In the event that households cannot provide proof of past due mortgages, taxes or other bills, program staff may contact the appropriate Tribal agencies for current account balances and work with applicant to contact other payees as needed.</li> </ul>
<b>Form of assistance</b>	Assistance will be structured as a non-recourse grant
<b>Payment requirements</b>	Payments will be made directly to the lender or servicer, as appropriate.

<b>Mortgage Payment Assistance Term Sheet</b>	
<b>Criteria</b>	<b>Terms</b>
<b>Brief description</b>	<ol style="list-style-type: none"> <li>1. Provide full or partial payment assistance to homeowners unable to make full mortgage payments due to a continuing financial hardship associated with the Coronavirus pandemic.</li> <li>2. HAF funds may be used to reduce a homeowner's monthly mortgage/loan payments until the Maximum Amount of Assistance is reached.</li> <li>3. HAF funds will only be used to supplement other loss mitigation measures offered by the servicer or where HAF funds are necessary for the homeowner to qualify for other such loss mitigation measures.</li> </ol>
<b>Maximum amount of assistance per homeowner</b>	The maximum amount of assistance for each eligible household across all program elements is \$10,000.00, unless funding allows otherwise.

<b>Homeowner eligibility criteria/documentation requirements</b>	<p>Same as General Eligibility Requirements plus</p> <ul style="list-style-type: none"> <li>• Statement of current inability to resume mortgage payments due to unemployment, underemployment or other continuing hardship.</li> </ul> <p>Homeowner Eligibility Documentation required:</p> <ul style="list-style-type: none"> <li>• Homeowner attestation of financial hardship.</li> <li>• Homeowner attestation of current inability to resume mortgage payments due to unemployment, underemployment or other continuing hardship.</li> <li>• Proof of Income: The household may provide a written attestation as to household income together with supporting documentation such as paystubs, W2s or other wage statements, IRS Form 1099s, tax filings, depository institution statements demonstrating regular income, or an attestation from an employer; OR</li> </ul> <p>The household may provide a written attestation as to household income and the Tribe may use a reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household’s geographic area.</p> <p>In the event that households cannot provide proof of past due mortgages, taxes or other bills, program staff may contact the appropriate Tribal agencies for current account balances and work with applicant to contact other payees as needed.</p> <ul style="list-style-type: none"> <li>• Owner occupancy: utility bill reflecting homeowner as payer, or homeowner attestation.</li> <li>• Primary residence: homeowner attestation</li> <li>• Proof of I.D.: Including but not limited to tribal enrollment card, driver’s license, passport, social security card or other documentation establishing identity, provided this documentation requirement shall not operate as a barrier to participation and program staff will assist in confirming identity.</li> </ul>
<b>Loan eligibility criteria specific to the program</b>	<p>No additional forbearance available.</p> <p>Loan Eligibility Documentation Required:</p> <ul style="list-style-type: none"> <li>• Statement from mortgage servicer establishing all options for loss mitigation or forbearance have been exhausted and are unavailable In the event the homeowner cannot obtain loss mitigation or other documentation establishing forbearance is unavailable, program staff will contact the appropriate Tribal agencies or work with the homeowner to obtain the information.</li> <li>• Documentation to facilitate payment to mortgage servicer or lender.</li> </ul>
<b>Form of Assistance</b>	<p>Assistance will be structured as a non-recourse grant.</p>
<b>Payment requirements</b>	<p>Payments will be made directly to the lender or servicer, as appropriate.</p>

<b>Mortgage Default Resolution Term Sheet</b>	
<b>Criteria</b>	<b>Terms</b>
<b>Brief description</b>	<ol style="list-style-type: none"> <li>1. Provide funds for loss mitigation measures intended to result in a permanently sustainable monthly payment for borrowers unable to meet scheduled payment requirements due to a financial hardship associated with the Coronavirus pandemic.</li> <li>2. Funds may be used to effect principal reductions, reduce the rate of interest, recast payment terms, repay funds advanced by the servicer on the borrower’s behalf, and as otherwise appropriate to ensure such assistance, when leveraged with other available loss mitigation options, results in a sustainable monthly payment amount for the borrower.</li> </ol>
<b>Maximum assistance per homeowner</b>	<p>The maximum amount of assistance for each eligible household across all program elements is \$10,000.00, unless funding allows otherwise</p>

<b>Homeowner eligibility criteria/documentation requirements</b>	<p>Same as General Eligibility Requirements plus:</p> <ul style="list-style-type: none"> <li>• Statement of current inability to resume mortgage payments due to unemployment, underemployment or other continuing hardship.</li> </ul> <p>Homeowner Eligibility Documentation required:</p> <ul style="list-style-type: none"> <li>• Homeowner attestation of financial hardship.</li> <li>• Homeowner attestation of current inability to resume mortgage payments due to unemployment, underemployment or other continuing hardship.</li> <li>• Proof of Income: The household may provide a written attestation as to household income together with supporting documentation such as paystubs, W2s or other wage statements, IRS Form 1099s, tax filings, depository institution statements demonstrating regular income, or an attestation from an employer; OR</li> </ul> <p>The household may provide a written attestation as to household income and the Tribe may use a reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household’s geographic area.</p> <p>In the event that households cannot provide proof of past due mortgages, taxes or other bills, program staff may contact the appropriate Tribal agencies for current account balances and work with applicant to contact other payees as needed.</p> <ul style="list-style-type: none"> <li>• Owner occupancy: utility bill reflecting homeowner as payer, or homeowner attestation.</li> <li>• Primary residence: homeowner attestation</li> <li>• Proof of I.D.: Including but not limited to tribal enrollment card, driver’s license, passport, social security card or other documentation establishing identity, provided this documentation requirement shall not operate as a barrier to participation and program staff will assist in confirming identity.</li> </ul>
<b>Loan eligibility criteria</b>	<p>Must be delinquent by at least one installment payment (including payments missed during a forbearance period) or otherwise in default, as reflected in documentation from the payee or the payee’s agent.</p> <p>Loan Eligibility Documentation Required:</p> <ul style="list-style-type: none"> <li>• Statement from mortgage servicer establishing all options for loss mitigation or forbearance have been exhausted and are unavailable In the event the homeowner cannot obtain loss mitigation or other documentation establishing forbearance is unavailable, program staff will contact the appropriate Tribal agencies or work with the homeowner to obtain the information.</li> <li>• Documentation to facilitate payment to mortgage servicer or lender.</li> </ul>
<b>Form of assistance</b>	<p>Assistance will be structure as a non-recourse grant.</p>
<b>Payment requirements</b>	<p>Funds will be paid, as applicable, to the mortgage servicer or other third-party payee authorized by the servicer, or other third-party authorized to collect eligible charges in accordance with reinstatement instructions received from the payee.</p>

**Property Charge Default Resolution Term Sheet**

Criteria	Terms
<b>Brief description</b>	<ol style="list-style-type: none"> <li>1. Provide funds to resolve any property charge default that threatens a homeowner’s ability to sustain ownership of the property, whether concurrently with other loss mitigation options offered by the loan servicer or in conjunction with other assistance programs.</li> <li>2. HAF Funds may be used to pay past due property taxes, insurance premiums, HOA fees, condominium fees, cooperative maintenance or common charges that threaten sustained ownership of the</li> </ol>

	<p>property must be brought current by program assistance or resolved concurrently with the program providing assistance.</p> <p>3. Funds may also be used to pay property charges coming due in the 90 days following program approval.</p>
<b>Maximum amount of assistance per homeowner</b>	The maximum amount of assistance for each eligible household across all program elements is \$10,000.00, unless funding allows otherwise
<b>Homeowner eligibility criteria/documentation requirements</b>	<p>Same as General Eligibility Requirements plus:</p> <p>Homeowner is at least one installment payment in arrears on one or more property charges including property taxes; insurance - hazard, flood, wind premiums; HOA fees; condominium fees; cooperative maintenance or common charges.</p> <p>Homeowner Eligibility Documentation required:</p> <ul style="list-style-type: none"> <li>• Homeowner attestation of financial hardship.</li> <li>• Proof of Income: The household may provide a written attestation as to household income together with supporting documentation such as paystubs, W2s or other wage statements, IRS Form 1099s, tax filings, depository institution statements demonstrating regular income, or an attestation from an employer; OR</li> </ul> <p>The household may provide a written attestation as to household income and the Tribe may use a reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household’s geographic area.</p> <p>In the event that households cannot provide proof of past due mortgages, taxes or other bills, program staff may contact the appropriate Tribal agencies for current account balances and work with applicant to contact other payees as needed.</p> <ul style="list-style-type: none"> <li>• Owner occupancy: utility bill reflecting homeowner as payer, or homeowner attestation.</li> <li>• Primary residence: homeowner attestation</li> <li>• Proof of I.D.: Including but not limited to tribal enrollment card, driver’s license, passport, social security card or other documentation establishing identity, provided this documentation requirement shall not operate as a barrier to participation and program staff will assist in confirming identity.</li> <li>• Delinquency: statement from service provider evidencing delinquency.</li> </ul>
<b>Loan eligibility criteria specific to the program</b>	N/A
<b>Form of assistance</b>	Assistance will be structured as a non-recourse grant.
<b>Payment requirements</b>	Funds will be paid, as applicable, to the mortgage servicer or other third-party payee authorized by the servicer, or other third-party authorized to collect eligible charges in accordance with reinstatement instructions received from the payee.

## Utility/Internet/Broadband Payment Assistance

Criteria	Terms
<b>Brief description</b>	<ol style="list-style-type: none"> <li>1. Provide funds to resolve delinquent payments for utility and/or internet access services.</li> <li>2. HAF funds may be used to pay delinquent amounts in full, including interest or reasonably required legal fees, under circumstances in which a delinquency threatens access to utility or internet services. The provided assistance must bring the homeowner's account current.</li> <li>3. Funds may be used to pay prospective charges for up to the first 90 days following approval if the homeowner is unable to make such payments and (i) funds are not available from other utility assistance programs to cover these amounts and (ii) the homeowner indicates the financial ability to resume making such payments after the initial 90-day period."</li> </ol>
<b>Maximum assistance per homeowner</b>	The maximum amount of assistance for each eligible household across all program elements is \$10,000.00, unless funding allows otherwise
<b>Homeowner eligibility criteria/documentation requirements</b>	<p>Same as General Eligibility Requirements plus:</p> <ul style="list-style-type: none"> <li>• Homeowner is at least one installment payment in arrears on one or more of the following: utilities, such as electric, gas, home energy, and water OR internet service, including broadband internet access service</li> <li>• Assistance sufficient to resolve the delinquency is not available from other utility assistance programs and, without HAF assistance, the homeowner is likely to lose services.</li> </ul> <p>Homeowner Eligibility Documentation required:</p> <ul style="list-style-type: none"> <li>• Homeowner attestation of financial hardship.</li> <li>• Proof of Income: The household may provide a written attestation as to household income together with supporting documentation such as paystubs, W2s or other wage statements, IRS Form 1099s, tax filings, depository institution statements demonstrating regular income, or an attestation from an employer; OR <ul style="list-style-type: none"> <li>The household may provide a written attestation as to household income and the Tribe may use a reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household's geographic area.</li> <li>In the event that households cannot provide proof of past due mortgages, taxes or other bills, program staff may contact the appropriate Tribal agencies for current account balances and work with applicant to contact other payees as needed.</li> </ul> </li> <li>• Owner occupancy: utility bill reflecting homeowner as payer, or homeowner attestation.</li> <li>• Primary residence: homeowner attestation</li> <li>• Proof of I.D.: Including but not limited to tribal enrollment card, driver's license, passport, social security card or other documentation establishing identity, provided this documentation requirement shall not operate as a barrier to participation and program staff will assist in confirming identity.</li> <li>• Delinquency: statement from service provider evidencing delinquency.</li> <li>• Prospective benefits: Homeowner attestation and documentation to facilitate payment to service provider.</li> </ul>
<b>Loan eligibility criteria specific to the program</b>	N/A
<b>Form of assistance</b>	Assistance will be structured as a non-recourse grant.
<b>Payment requirements</b>	Funds will be paid directly to the utility provider, internet provider, or other applicable third-party authorized to collect eligible charges.

## Home Repair Assistance

Criteria	Terms
<b>Brief description</b>	<ol style="list-style-type: none"> <li>1. Provide funds to cover reasonable home repair expenses to the homeowner’s primary residence as necessary to restore the property to habitable condition or to resolve housing/property code violations.</li> <li>2. HAF Funds may be used to pay the reasonable cost of repairs necessary to address property conditions, including pre-development costs, necessary architectural or engineering fees, construction oversight, or other costs incidental but necessary to the completion of the eligible scope of work.</li> <li>3. Grantee may utilize HAF administrative funds to provide technical assistance to the homeowner (e.g. identifying necessary repair work).</li> </ol>
<b>Maximum assistance per homeowner</b>	<p>The maximum amount of assistance for each eligible household across all program elements is \$10,000.00, unless funding allows otherwise</p>
<b>Homeowner eligibility criteria/documentation requirements</b>	<p>Same as General Homeowner Eligibility Criteria Across All Programs plus:</p> <ul style="list-style-type: none"> <li>• At the time repairs begin, homeowner is current on other secured home payment obligations, on an active payment plan or forbearance, and/or getting related HAF assistance for those obligations.</li> <li>• Homeowner will be able to afford applicable payments necessary to sustain homeownership (mortgage, taxes, insurance, association dues, etc.) after repairs are completed, based on a financial analysis established at the reasonable discretion of Grantee.</li> <li>• Homeowner does not qualify for or has not been able to access affordable home repair financing (self-attestation of applicant’s efforts will satisfy). Grantees may determine, based on a reasonable analysis of homeowner needs data, that homeowners meeting certain criteria (e.g. income at or below a percentage of AMI) are presumed to meet this requirement without requiring homeowner attestation or documentation.</li> </ul> <p>Homeowner Eligibility Documentation required:</p> <ul style="list-style-type: none"> <li>• Homeowner attestation of financial hardship.</li> <li>• Proof of Income: The household may provide a written attestation as to household income together with supporting documentation such as paystubs, W2s or other wage statements, IRS Form 1099s, tax filings, depository institution statements demonstrating regular income, or an attestation from an employer; OR <ul style="list-style-type: none"> <li>The household may provide a written attestation as to household income and the Tribe may use a reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household’s geographic area.</li> <li>In the event that households cannot provide proof of past due mortgages, taxes or other bills, program staff may contact the appropriate Tribal agencies for current account balances and work with applicant to contact other payees as needed.</li> </ul> </li> <li>• Owner occupancy: utility bill reflecting homeowner as payer, or homeowner attestation.</li> <li>• Primary residence: homeowner attestation</li> <li>• Proof of I.D.: Including but not limited to tribal enrollment card, driver’s license, passport, social security card or other documentation establishing identity, provided this documentation requirement shall not operate as a barrier to participation and program staff will assist in confirming identity.</li> <li>• Repair eligibility: homeowner attestation.</li> </ul>

<b>Property eligibility criteria</b>	<p>Same as General Property Eligibility Criteria Across All Programs plus:</p> <ul style="list-style-type: none"> <li>Property will continue to be the applicant’s owner-occupied primary residence once the repairs are made.</li> <li>Properties that have outstanding violations may receive assistance if corrections are addressed before funding or are included in the scope of work funded by the program.</li> </ul> <p>Eligible Property Conditions:</p> <ul style="list-style-type: none"> <li>Housing deficiencies or conditions exist which may be hazardous to occupants/residents,</li> <li>Property has a code violation or other citation, or is in danger of being cited or condemned, without the necessary repair,</li> <li>Property is uninhabitable or condemned and the repair is necessary to make the home habitable, OR</li> <li>Home improvements are necessary to improve accessibility and help senior residents age in place.</li> </ul>
<b>Project criteria</b>	<ul style="list-style-type: none"> <li>Repairs must be completed by a licensed contractor or, if the jurisdiction does not license contractors, a professional contractor found to be qualified and reputable in accordance with reasonable criteria established by the Grantee</li> <li>Tribe may choose to require program pre-approval of contractors and may establish pre-approved contractors lists.</li> <li>Copy of contract must be provided to Tribe for approval, or homeowners and contractors must use a program approved contract template</li> <li>Projects must comply with all zoning, building, and other code requirements.</li> </ul>
<b>Form of assistance</b>	Assistance will be structured as a non-recourse grant
<b>Payment requirements</b>	Funds will be paid directly to the general contractor or entity responsible for the repairs upon satisfactory completion of the work. HAF technical assistance funds will be utilized to ensure reasonable oversight of the quality and completion of work will be performed before full payment is made.

**APPLICATION FOR HAF PROGRAM BENEFITS**

A. Participant Application. Homeowners must submit a written application with all supporting documentation, described in this Policy and HAF Plan. Applications must be submitted to:

Swinomish Homeowners Assistance Fund  
c/o Housing Division  
11367 Moorage Way  
La Conner, WA 98257  
[homes@swinomish.nsn.us](mailto:homes@swinomish.nsn.us)  
360-588-3002 ext. 2

B. Limitations. If there is more than one homeowner at an eligible residence, only one homeowner per household is eligible for assistance. HAF funds received by a homeowner may only be used for eligible expenses.

C. Notification of Change of Eligibility. Applicants are required to notify the Tribe in writing immediately whenever any determining factor of eligibility changes. This includes, but is not limited to:

1. No longer experiencing a financial hardship; or
2. Have an income that is equal to or more than 150% of the area median income.

D. Falsification and Investigation:

1. If it is discovered that an Applicant has falsified his or her Application, or otherwise abused the HAF Program, or if a homeowner fails to notify the Tribe of changes to eligibility, the homeowner will be subject to penalties. Penalties will include ineligibility for continued participation in the HAF Program and repayment of the value of any benefit for which they were not eligible to receive.

2. The Tribe shall retain the right to conduct a follow-up investigation into any self-attestations submitted or regarding any other documentation, at its own discretion, if it determines that the reliability or accuracy of the information provided is in doubt.

E. Application Review Process.

Applications will be date and time stamped when received. All applications will be put on a waiting list until they have been processed. HAF staff will review applications for completeness and eligibility on an ongoing basis and provide assistance as needed to collect the documentation required for an eligibility determination. If a client is determined ineligible for HAF, staff will send written communication to the applicant and remove them from the HAF waitlist. If a client is determined eligible, the application will remain on the waitlist pending prioritization.

Elder and disabled households will be prioritized in all categories of assistance. Applications at or below 100% of the median income demonstrating risk of foreclosure will be prioritized, followed by applications at or below 100% median income with significant arrearages in taxes, insurance and utilities. Initial applications for Home Repair Assistance will be waitlisted for the first two months of program operation in order to prioritize looming foreclosures and significant arrearages. Home Repair Assistance applications will be processed in the order received and will be granted first to those at or below 100% of the median income and then for those up to 150% median income, once the initial waiting period is completed.