



GRAND RONDE HOUSING DEPARTMENT

28450 Tyee Road – Grand Ronde, Oregon 97347 – (503)879-2401 – Fax (503)879-5973 www.grtha.org

Down-Payment Assistance Grant 2024-2025 Edition

This program provides a Lifetime Capped grant to each qualifying Tribal member homebuyer for down-payment assistance of \$20,000 for the purchase of a single family home in Standard Condition.

I. GENERAL PROVISIONS

A. Definitions of Terminology.

1. *CTGR* - Confederated Tribes of the Grand Ronde Community of Oregon
2. *GRHD* - Grand Ronde Housing Department
3. *HUD* - United States Department of Housing and Urban Development
4. *ONAP* - Office of Native American Programs, a division of HUD
5. *NAHASDA* – Native American Housing Assistance and Self-Determination Act of 1996
6. *Income*. Total household income is determined by GRHD pursuant to Section I.I. below.
7. *Long-Term Lease or Tenancy Agreement*. A lease or agreement with a minimum term of five (5) years in duration.
8. *Low Income*. At or below a percentage of the current published Median Income as specified by HUD for programs utilizing NAHASDA funds.
9. *Manufactured Home*. A dwelling that is factory-built on a permanent, steel frame chassis, constructed in conformance with the National Manufactured Housing Construction and Safety Standards established by (HUD).
10. *Median Income*. A figure annually determined by HUD based on geographic statistics and family size.
11. *Mobile Home*. A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy and is being used for residential purposes.
12. *Modular Home*. A dwelling that is a factory-built wood frame structure, constructed in conformance with the International Code Council (ICC).
13. *Person with Disabilities*. For purposes of these programs, a Person with Disabilities is someone who has been determined by a federal or state governmental agency to:
 - (a) have a disability as defined in Section 223 of the Social Security Act;

- (b) have a physical, mental, or emotional impairment which
 - i. is expected to be of long, continued, and indefinite duration;
 - ii. substantially impedes his or her ability to live independently; and
 - iii. is of such a nature that such ability could be improved by more suitable housing conditions; or
- (c) have a developmental disability as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act.

Such term shall not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. Notwithstanding any other provision of law, no individual shall be considered a Person with Disability, for purposes of eligibility for housing assisted under this Act, solely on the basis of any drug or alcohol dependence.

- 14. *Primary Residence.* The residence at which the applicant lives for at least nine (9) months per year. Further, the Primary Residence must be on a permanent foundation, and in the case of Manufactured Homes, it must be tied down in accordance with local codes. In no event will Mobile Homes, travel trailers, recreational vehicles, or other types of mobile units be considered a Primary Residence.
- 15. *Recipient.* An applicant who has been awarded assistance under any of the housing programs herein defined.
- 16. *Standard Condition.* A home that is considered to be in decent, safe, and sanitary condition, as determined by GRHD, and meets applicable codes for fire and life safety.
- 17. *Tiny House.* A single-family dwelling not more than six-hundred (600) square feet in floor area including loft floor area that is site built or prefabricated and permanently anchored to a foundation and provided with permanent utility connections. A tiny house is not designed to be movable or constructed on a wheeled chassis nor is it a manufactured home, recreational vehicle, shipping container, trailer, tiny house on wheels (THOW), or other similar object.

B. Grant Approval Authority. The grant amounts shall not exceed the limits specified in each respective program.

C. Grant Bundling. Limited by the specific terms, conditions, and requirements of each program, any number of grants may be used by applicants; however, applicant shall be responsible to prove that grants funds are used appropriately and a full accounting of grant expenditures shall be required to document that grant funds are not used twice for the same work.

D. Application and Waiting List Review.

- 1. Any Tribal member who appears to meet the program requirements may apply to GRHD for a grant by completing the application. Incomplete applications will not be accepted, and will be returned to the applicant for completion.

2. Complete applications will be processed in the order they are received. If there is a waitlist, the application will be placed on the waitlist by order received.
3. It is the applicant's responsibility for updating GRHD of any changes to information provided on the application.
4. Staff will update the waitlists annually. Each applicant will be contacted by mail with a request to update their application within a thirty (30) day deadline. If an updated application is received, the application will remain on the list with its original date.
5. Following the thirty (30) day deadline, if GRHD has not heard from applicant, GRHD will send a follow-up letter notifying applicant if he/she does not respond within twenty-one (21) days of the date of the letter, they will be removed from the waitlist. If contact is made during that twenty-one (21) day time frame, a new application will be taken and the new date will be used to establish a place on the waiting list.
6. Should an applicant become ineligible, staff will notify the applicant in writing that he/she is no longer qualified for admission into the program.

E. Funding. The level of funding for all programs is subject to availability of resources and budget approval.

1. *NAHASDA Funds.* These funds are used to assist applicants to any HUD supported program (including Home Repair and Medical Adaptation) whose income is at or below 80% of the Median Income determined by HUD. The Median Income, based on family size, is set forth in HUD's current Notice of Transmittal of Fiscal Year Income Limits for the Public Housing and Section 8 Programs, and as further described in ONAP's current Program Guidance on Income Limits under NAHASDA (ONAP's Program Guidance 2011-04 may be obtained at [NAHASDA | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](http://NAHASDA | HUD.gov / U.S. Department of Housing and Urban Development (HUD)))
 - a) Current NAHASDA income limits are listed within the table in Section I.I. below.
 - b) All work funded by NAHASDA must conform to Section 504 of the Rehabilitation Act of 1973.
2. *Tribal Funds.* These funds are allocated by the Grand Ronde Tribal Council and are utilized to assist those Tribal members who exceed the income limits stipulated by NAHASDA or in programs that are not supported by HUD. Only enrolled CTGR members are eligible to receive Tribal housing assistance.

F. Applicant Eligibility.

1. Applicant may not have any past due unpaid debts owed to GRHD or CTGR.
2. Applicant must be a CTGR member.
3. Applicant must be 18 years of age or otherwise legally able to enter into a contractual relationship.
4. Applicant must be current on property taxes, and the residence may not be in foreclosure.

G. Income.

1. *Determining Income.* Income is determined pursuant to 24 C.F.R. § 1000.10(b).

- (a) Annual Income can be defined using two alternative allowable methodologies under 24 C.F.R. § 1000.10(b):
 - (i) 1040 Determination- Under 24 C.F.R. § 1000.10(b)(3), GRHD can use "Adjusted gross income as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 series for individual Federal annual income tax purposes" to determine an applicant's/tenant's eligibility for NAHASDA funded programs. 1040 Determination allows GRHD to use the adjusted gross income as determined *by the applicant/tenant's 1040 (series)* form as the Annual Income.
 - (ii) Part 5 Determination - Under 24 C.F.R. § 1000.10(b)(I), "Annual Income" is to be defined for HUD's Section 8 programs through the method described in 24 C.F.R. Part 5, Subpart F.
 - a. Part 5 Determination requires that applicants/tenants submit verification for every source of income and for each asset. Those verification documents will be used to calculate the Annual Income.
 - b. Tribal benefits which are not specifically addressed in the above referenced determination will be treated as follows:
 - i. Tribal Per Capita Benefits will be included as income.
 - ii. Tribal Timber Benefits are excluded as income.
 - iii. Tribal SSI and Tribal Disability Income will be included as income.
 - iv. Elders' Pension will be included as income.
- (b) GRHD prefers, when available, to use the 1040 Determination. If documentation for 1040 Determination is not available or provided by applicant/tenant, GRHD must use Part 5 Determination. Additionally, if GRHD determines the 1040 form provided is outdated or no longer reflects the applicant's current financial status, GRHD may use Part 5 Determination.

2. *Income Limits.*

- (a) Income limits are calculated for each person size family, using the 4- Person limit as the benchmark. The 1 person limit is calculated by multiplying the 4-Person limit by 70%, the 2-Person limit is calculated by multiplying the 4-Person limit by 80%, the 3-person limit is calculated by multiplying the 4-Person limit by 90%, the 5- Person limit is calculated by multiplying the 4-Person limit by 108%, the 6-Person limit is calculated by multiplying the 4-Person limit by 116%, the 7-Person limit is calculated by multiplying the 4-Person limit by 124%, and the 8-Person limit is calculated by multiplying the 4-Person limit by 132%.
- (b) *Annual Adjustments to Income Limits.* These limits are subject to annual adjustments by the ONAP with respect to NAHASDA funded programs. Upon annual publication by ONAP adjusting the income limits, those limits will automatically become effective.

(c) *Income Limits Chart*. Median Family Income data is computed by using HUD data for Oregon for the current fiscal year and program.

H. Payback Period/Useful Life.

1. NAHASDA requires GRHD to establish an "affordability period" for each housing unit that receives NAHASDA funds. This period is known as a "useful life". GRHD will apply this requirement to all of its grant programs regardless of the grant's funding source. For funding awards \$5,000 and under, Recipient will be required to sign a repayment agreement requiring repayment if Recipient does not remain in the home for six (6) months following the date of the award. Funding awards above \$5,000 will require a recorded lien on homes to allow GRHD to recover funds for homes sold during the useful life period. If you receive a grant, you may be required to repay a portion of the funds if you sell your home within a certain timeframe after receiving the GRHD funds.
2. *Useful Life Restrictions*. GRHD and Recipient shall enter into a Useful Life/Use Restriction Agreement and such agreement shall be recorded on the subject property. The agreement will provide that if the home is sold within the useful life term, GRHD will recover amounts as set forth below:
 - (a) Grants between \$5,000 - \$15,000: The Recipient must stipulate that should the home be sold within a three (3) year period from the date of the receipt of funding, the Recipient will repay GRHD a prorated portion of the award according to the following schedule:
 - (i) Home sold during **year one**: Recipient must repay **75%** of the award
 - (ii) Home sold during **year two**: Recipient must repay **50%** of the award.
 - (iii) Home sold during **year three**: Recipient must repay **25%** of the award.
 - (b) Grants that are over \$15,000: The Recipient must stipulate that should the home be sold within a five (5) year period from the date of the receipt of funding, Recipient must repay GRHD a prorated portion of the award according to the following schedule:
 - (i) Home sold during **year one**: Recipient must repay **80%** of the award.
 - (ii) Home sold during **year two**: Recipient must repay **60%** of the award.
 - (iii) Home sold during **year three**: Recipient must repay **40%** of the award.
 - (iv) Home sold during **year four**: Recipient must repay **20%** of the award.
 - (v) Home sold during **year five**: Recipient must repay **10%** of the award amount.
3. *Hardship Exceptions*. To avoid lien recovery upon Recipient's sale of home within the useful life period, Recipient must provide documentation of a hardship based on external events that made the sale of the home necessary. Such circumstances might include a serious illness or death of a family member, a job layoff, marriage dissolution, or other situations that are clearly attributable to circumstances beyond the control of the Recipient.
4. *Payback*. If a payback is required due to home sale, the amount paid back will be added back to that Tribal Member's lifetime available funds for that grant.

I. Monitoring and Reporting. The GRHD Department Manager is responsible for the day-to-day compliance with this policy, and will provide regular reports to the

appropriate Tribal official on the expenditure of program funds.

- J. Right to Deny Participation.** Any individual who violates these rules or intentionally misuses grant program funds may be discontinued from program participation and barred from future participation.

K. Notice of Right to Reasonable Accommodation and Reasonable Modification.

GRHD understands and recognizes the need to facilitate reasonable accommodations and reasonable modifications to eligible and qualified individuals with disabilities, such as a change in GRHD's policies, practices, or services, which are necessary for an individual with a disability to benefit from or participate in GRHD's rental assistance or housing services programs. For more information including instructions on filing for a Reasonable Accommodation or Reasonable Modification, please review GRHD's Reasonable Accommodation and Reasonable Modification Policy available at <https://www.grandronde.org/services/housing/>, GRHD's office or by contacting GRHD at 503-879-2401, 800-422-0232 (ext. 2401) or TDD 503-879-1647.

- L. Implementation and Policy Review.** This policy shall become effective upon approval by the General Manager. This policy shall be reviewed on an annual basis, generally in June.

II. ELIGIBILITY REQUIREMENTS

Down Payment Assistance Grants may be awarded and applied toward the purchase of a Primary Residence located in the United States under the following conditions:

A. Applicant Eligibility Requirements.

1. A member of a Tribal member's household or co-owner is not considered an applicant for the grant unless such Tribal member has separately applied for a grant in connection with the home purchase.
2. The applicant's gross annual household income must be adequate to support a mortgage payment, taxes, insurance, and maintenance, and therefore:
 - (a) If the purchase transaction is a land sale contract or a direct sale between homeowner and buyer, applicants will be pre-screened by GRHD at the time of application to determine their ability to afford payments. Thirty percent (30%) of the applicant's income must be adequate to reasonably support a housing payment in the current housing market.
 - (b) An applicant can purchase a home which is a new construction prior to construction of that home under this program only if the applicant will be using a construction-to-permanent financing program wherein there is only one (1) closing and the construction loan automatically converts to a permanent long-term mortgage upon completion of the construction.
 - (c) Applicants must be financially pre-qualified by a lending institution no more than two (2) months prior to making a purchase offer. If applicant is not using a bank mortgage, applicant must demonstrate financial ability in this same timeframe.

3. Applicants who are First Time Homebuyers will be required to participate in an approved homebuyer education program prior to grant approval to learn about the home buying process and homeowner responsibilities.
4. Applicants are ineligible for this program if they have previously received the full amount of the lifetime cap from either a Tribally-funded or federally-funded Down Payment Assistance Grant (DPAG). Any uncertainty as to the identity of a previous DPAG applicant - when there was more than one (1) Tribal member in the household or additional Tribal member co-owners - may be clarified by (1) agreement of the Tribal member household members/co-owners or (2) in the absence of such agreement, by documented evidence of such intent deemed suitable by GRHD.

B. Property Eligibility Requirements.

1. The property to be purchased may be located anywhere in the fifty (50) United States or the District of Columbia. However, GRHD, with Tribal Council approval, may focus resources annually to a specific geographic area to implement a specifically designated tribally supported project consistent with the Housing Plan.
2. The dwelling must be a wood-frame home (or other GRHD approved construction type), a Modular Home, or a Manufactured Home, Tiny House, or a condominium in an established development.
3. The home must be on a single lot also owned by the home owner unless there is a hardship exception from the county, or similar permission to allow multiple single family homes on one lot.
4. All homes must be in Standard Condition and meet inspection requirements of the lender. In all other situations, GRHD will require certified inspection demonstrating home is in standard condition. GRHD may require additional review if the inspection does not appropriately demonstrate. This does not apply to homes being purchased with a HUD loan for rehabilitation.
5. Ineligible properties include, but are not limited to: vacant land, fixer-uppers (does not apply to homes being purchased with a HUD rehabilitation loan), rental or commercial property, Mobile Homes (except, if they still have the capability of being mobile and not connected to foundation; hardship exceptions are allowed under local laws), or travel trailers.
6. Manufactured Homes and Tiny Homes must be manufactured within the last thirty (30) years, have a professional inspection that must be reviewed and approved by GRHD inspector, and meet all state and local construction and placement specifications for the area in which it is/will be located (the GRHD grievance board may grant exceptions to allow older Manufactured Homes or Tiny Home if the applicant can show the home meets all other requirements) and:
 - (a) Placed on land which is owned by the Recipient;
 - (b) Purchased as a package with land;
 - (i) Placed on land or in a manufactured home park with a Long-Term Lease or Tenancy Agreement; (Note: for Long-Term Leases or Tenancy agreements, GRHD will review of the lease to determine terms are

consistent with the purpose of the program. GRHD may require additional agreement with the Tribe regarding notice and repayment).

Signed and approved:



Name: Angie Blackwell

Title: General Manager

Date: August 7, 2024