



COQUILLE INDIAN HOUSING AUTHORITY



PAYBACK AGREEMENT POLICY

PURPOSE

It is the intent of CIHA to give residents a second chance before evicting families for nonpayment of their “required monthly payment”. A Payback Agreement is used as a last effort on the part of CIHA to allow a resident to remain in one of its housing units even though he has failed to live up to his financial obligations under his Lease or Mutual Help Ownership Agreement. Its use is not to be construed as forgiveness of a breach, or as a voiding of any provision of the Lease or MHOA. It simply represents CIHA’s willingness to “go the extra mile” at the request and commitment of the resident.

Failure to live up to its provisions cannot result in a renegotiated Payback Agreement, or in a new one. It is a one time thing and is to be used only after the resident has exhausted all other ways of obtaining a gift or loan to pay off the balance owed to CIHA. Documentation of rejection by a bank or other lending institution must be presented prior to a Payback Agreement being signed by CIHA.

A Payback Agreement is not allowed for new residents.

TERM

The repayment must be complete within 3 months. The debt balance may be paid at any time before that time.

INTEREST CHARGE

Interest of 1% on each month’s debt balance will be charged and added to the outstanding debt balance on the 2nd day of each month. This 1% amount applies to all Payback Agreements signed after adoption of this policy.

FAILURE TO LIVE UP TO THE PAYBACK AGREEMENT

Payback Agreements that are not followed will automatically terminate on the 5th working day payment is late. The delinquent balance immediately becomes due and payable in full, and a “Three Day Pay or Vacate Notice” will be sent. If the unit has not been vacated and full payment is not received by the 10th day, the Lease or MHOA will automatically be terminated and eviction proceedings will begin. All costs on the part of CIHA to enforce its rights under the Payback agreement will be charged to and borne by the resident.

EXCEPTIONS

Only the Executive Director can make exceptions to this requirement, on a case by case basis and in writing, and only after a written request is received from the resident explaining and justifying

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the exception. The Executive Director will report to the Board of Commissioners on all exceptions at its next regular meeting. The resident should not expect leniency except in rare instances that are overwhelmingly justified.

The Housing Programs Coordinator may negotiate Payback Agreements but they must be approved and signed by the Executive Director.