



COQUILLE INDIAN HOUSING AUTHORITY

EMERGENCY HOUSING ASSISTANCE PROGRAM POLICY

SECTION I. PURPOSE

- A. This Emergency Housing Assistance Program Policy (“Policy”) shall govern the Coquille Indian Housing Authority (“CIHA”) Emergency Housing Assistance Program (“EHA Program” or “EHAP”) and the expenditure and management of the Tribal Shelter Grant Funds (“Program Funds”) received from the State of Oregon Housing and Community Services (“OHCS”).
- B. Homelessness and housing instability pose an immediate and imminent threat to the health, safety, and well-being of Tribal families. The purpose of the EHA Program is to provide assistance with payment for emergency shelter, rents and utilities, and arrearages for the same, and related costs necessary to become or remain stably housed for low-income Coquille Tribal members located within the State of Oregon. The EHA Program is designed to assist Tribal households whose income is at or below the greater of eighty percent (80%) of the Area Median Income or eighty percent (80%) of State Median Income, who face homelessness or housing instability because they are unable to pay rent and utilities.
- C. Notwithstanding any provision set forth in any other CIHA Policy, receipt of assistance from the EHA Program established under this Policy shall not make the Recipient or Recipient family eligible or ineligible for assistance under any other CIHA policy or program.
- D. Nothing in this Policy shall be construed to invalidate any otherwise legitimate grounds for eviction.
- E. Assistance to be provided under the EHA Program is subject to availability of funds. No applicant or household determined to be eligible is entitled to or has a property right to receive funding under the EHA Program. When funding for the EHA Program is fully expended, the EHA Program may be suspended or terminated. CIHA may terminate this Program at any time.
- F. This Policy is based and the EHA Program will be carried out in reliance upon guidance from the State of Oregon Housing and Community Services agency. This Policy and the administration of the EHA Program will be subject to change if and when additional guidance is provided.

SECTION II. DEFINITIONS

General: The following definitions shall apply to this EHA Program Policy.

- A. “**Applicant**” means any person or family who applies for assistance pursuant to these Policies and Procedures.
- B. “**Area Median Income**” means, with respect to a household, the income limits for families published in accordance with 42 USC 1437a(b)(2), available under the heading for “Access Individual Median Family Income Areas” at <https://www.huduser.gov/portal/datasets/il.html>.

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- C. “**CIHA**” means the Coquille Indian Housing Authority.
- D. “**Eligible Household**” means a household that meets the eligibility requirements provided for in Section IV.
- E. “**Financial Assistance**” means payments provided through the EHA Program Funds for Rent, Utility Costs, and Other Eligible Expenses.
1. “**Rent**” is the monthly amount charged by a Landlord for possession and occupancy of a dwelling unit. If Utility Costs are included in the monthly payment to the Landlord, they are deemed to be Rent. This definition includes pet rent and rental payments for the parcel of land a manufactured home or RV occupies (lot or space rent).
 2. “**Rent Arrears**” mean rental payments in arrears and associated late and reinstatement fees.
 3. “**Current Rent**” means the rental payment for the current month that is due and owing but not yet in arrears.
 4. “**Utility Costs**” means utility and home energy costs related to the occupancy of rental property (e.g., water, sewer, garbage, gas, electricity, phone, internet, and energy costs (such as fuel oil)) that are separately stated charges. This definition includes utility and home energy costs for manufactured homes, as well as a regular monthly cost for firewood if the wood is used for heating or cooking. Payments to public utilities are permitted.
 5. “**Utility Costs Arrears**” means Utility Cost payments in arrears and associated late and reinstatement fees.
 6. “**Current Utility Costs**” means Utility Costs that are currently due and owing but not yet in arrears.
 7. “**Other Eligible Expenses**” means expenses related to housing to include the following:
 - a. Payment to a hotel/motel if the Applicant is staying at a hotel/motel as a means of avoiding homelessness, provided that: (1) the household has been temporarily or permanently displaced from its primary residence or does not have a permanent residence elsewhere; (2) the total months of assistance provided to the household does not exceed twelve (12) months; and (3) documentation of the hotel or motel stay is provided and the other applicable requirements imposed by law or policy are met. Neither maintenance costs nor expenses incidental to the charge for a hotel/motel room are included in this definition.
 - b. Vouchers for food, clothing, toiletries, and other necessities for sheltered and unsheltered homeless, hotel/motel residents, or other program participants in

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transition. Food vouchers may not exceed the federal per diem rate for the jurisdiction where participant is located.

- c. Costs to board and care for the animals of hotel/motel residents or other program participants in transition, such as boarding costs, kennels, leashes, veterinary services, food, toys, etc.
 - d. Housing relocation assistance (e.g., moving expenses, first and last month's rent payments, application and screening fees, security deposits, pet deposits, utility deposits and connection fees).
 - e. Transportation (e.g., bus/train passes, fuel vouchers, minor vehicle repairs, coach airfare). The purpose of transportation assistance is to enable applicants to relocate to an area where stable housing, employment, and/or other supportive services have been secured. Applicants requesting fuel vouchers must have a valid driver's license.
 - f. Rent or rental bonds, where a tenant posts a bond with a court as a condition to obtaining a hearing, reopening an eviction action, appealing an order of eviction, reinstating a lease, or otherwise avoiding an eviction order.
 - g. Work supports (e.g., training costs, transportation assistance – bus tokens, fuel vouchers, minor vehicle repair, childcare or eldercare costs, clothing to support employment needs). The purpose of the work support is to allow the household to stabilize by avoiding costs or expenses in other areas that are a barrier to housing stability.
 - h. Furniture and household goods reasonably necessary to support a program participant moving into a new home.
- F. **“Housing Stability Services”** means case management and other services intended to help keep Eligible Households stably housed (e.g., eviction prevention and eviction diversion programs; mediation between landlords and tenants; housing counseling; fair housing counseling; housing navigators that help households access or find housing; case management related to housing stability; legal services or attorney's fees related to eviction proceedings; and specialized services for individuals with disabilities or seniors that supports their ability to access or maintain housing).
- G. **“Income”** means either a household's gross annual income or sufficient confirmation of the household's gross monthly income at the time of application by CIHA.
- H. **“Landlord”** means any individual person, family, or entity who owns or manages a dwelling unit and rents or leases that dwelling unit to an Eligible Household.
- I. **“OHCS”** means the State of Oregon Housing and Community Services agency.

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- J. **“Recipient”** means a household of one or more individuals that receives Financial Assistance from the EHA Program Funds.
- K. **“State Median Income”** means the U.S. Department of Housing and Urban Development’s most recently published median household income for the State of Oregon.
- L. **“Tribal Member”** means an enrolled member of the Coquille Indian Tribe.
- M. **“Tribe”** means the Coquille Indian Tribe.

SECTION III. EMERGENCY PROGRAM OVERVIEW

A. CIHA shall only use the EHA Program Funds to provide Financial Assistance and Housing Stability Services to Eligible Households in accordance with the terms of this Policy.

- 1. **Application.** To participate in the EHA Program, an Applicant must first submit a complete, written Application to CIHA. This Application must include all information required by CIHA, as described below in Section V.
- 2. **Participation.** If an Applicant is approved for participation in the EHA Program, they must then submit information and supporting documentation for each month of Rent, Utility Costs, and Other Eligible Expenses for which they seek Financial Assistance.

B. Financial Assistance

- 1. CIHA does not need to provide assistance with respect to Rent in order to provide assistance with respect to Utility Costs, and does not need to provide assistance with respect to Utility Costs in order to provide assistance with respect to Rent.
- 2. CIHA may not provide EHA Program assistance to homeowners to cover their mortgage payment, utilities, or energy costs, except:
 - a. CIHA may provide financial assistance to households that are renting their residence under a “rent-to-own” agreement, under which the Applicant has the option (or obligation) to purchase the property at the end of the lease term, provided that a member of the Applicant’s household:
 - 1. is not a signor or co-signor to the mortgage on the property;
 - 2. does not hold the deed or title to the property; and
 - 3. has not exercised the option to purchase.
- 3. **CIHA as the Landlord.** CIHA may provide assistance to Eligible Households for which CIHA is the Landlord, provided that no preferences other than those provided to all applicants are given to Eligible Households that reside in CIHA’s own properties.

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4. **Arrears Payments.** If any Eligible Household has any Rent Arrears or Utility Costs Arrears, CIHA must first provide Financial Assistance under this EHA Program to pay all or a portion of those arrears before providing payments for any Current Rent or Utility Costs.
 - a. **Arrears Cut-Off.** CIHA may only use EHA Program Funds to pay Rent Arrears and Utility Costs Arrears for rent and utility and home energy costs incurred on or after January 1, 2022 for which Eligible Households are in arrears.
 - b. **Rent Arrears and Utility Costs Arrears** means money that is overdue after missing one or more required payments. Arrears includes interest charges and penalties accrued from the date on which the first missed payment was due. Arrears does not include interest charges or penalties accrued for overdue rent or utility and home energy costs incurred before January 1, 2022.
 - c. An Eligible Household that does not have any arrears payments may still participate in the EHA Program.
5. **Term.** CIHA shall provide Financial Assistance for a period not to exceed twelve (12) months, subject to the availability of funds.
6. **Distribution of Financial Assistance**
 - a. For all Financial Assistance for Rent Arrears, Utility Costs Arrears, Current Rent, Current Utility Costs, or Rental Deposits provided to an Eligible Household, CIHA will make payments to the Landlord or utility provider on behalf of the Eligible Household.
 1. CIHA must make reasonable efforts to obtain the cooperation of Landlords and utility providers to accept payments from the EHA Program. Outreach will be considered complete if:
 - A. a request for participation is sent in writing, by certified mail, to the Landlord or utility provider, and the addressee does not respond to the request within seven (7) calendar days after mailing;
 - B. if CIHA has made at least three attempts by phone, text, or email over a five (5) calendar-day period to request the Landlord or utility provider's participation; or
 - C. the Landlord confirms in writing that the Landlord does not wish to participate.

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- D. For any of these methods, the final outreach attempt to the Landlord or utility provider must be documented. The cost of the mailing is an eligible administrative cost.
2. **Exception.** If, after CIHA's outreach to the Landlord or utility provider, the Landlord or utility provider does not agree to accept such payment from CIHA, CIHA may make such payments directly to the Eligible Household for the purpose of making payments to the Landlord or utility provider.
- b. For any payments made by CIHA to a Landlord or utility provider on behalf of an Eligible Household, CIHA shall provide documentation of such payments to such household.
7. **Prospective Obligations.** If a tenant does not have a current rental obligation, CIHA may provide otherwise Eligible Households with an official document specifying the amount of Financial Assistance under the EHA Program that CIHA will pay the Landlord on behalf of the Eligible Household (such as for a rental/security deposit or rent) if the Landlord and Eligible Household enters into a qualifying lease of at least six (6) months. Such documentation shall expire thirty (30) days after the issuance date.
8. **Other Eligible Expenses.** Payments for Other Eligible Expenses will be paid directly to the provider of such services, subject to the same terms and conditions, and same exceptions, as payments to Landlords and utility providers.
9. **Rental Deposits.** The amount of a Rental Deposit should not exceed one month's rent, except in cases where a higher amount is reasonable and customary in the local housing market, which shall be determined at the discretion of CIHA.
- a. In order to mitigate risks associated with the use of EHA Program funds for Rental Deposits, CIHA hereby establishes a minimum rental period of six (6) months before an Eligible Household is entitled to receive a returned Rental Deposit that was paid for with EHA funds.
- b. If the Rental Deposit is not returned to the Eligible Household, it shall be returned to CIHA.
- c. The treatment of Rental Deposits is generally subject to applicable law and the rental agreement.
10. **Special Rules and Procedures for Hotel/Motel Lodging.** CIHA will provide Financial Assistance to cover emergency hotel/motel lodging only where:
- a. The Eligible Household demonstrates or attests that it is in immediate need of housing and would otherwise be without housing except for lodging in a hotel or motel; or

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- b. CIHA has determined that it would be at least as cost effective offering Financial Assistance for a hotel/motel stay as compared to providing other forms of assistance.

CIHA may periodically reassess whether Eligible Households staying at a hotel/motel remains cost-effective as compared to providing other forms of assistance.

11. Duplication of Assistance. An Eligible Household that occupies a subsidized residential or mixed-use property may receive EHA Program assistance, provided that EHA Program Funds are not applied to costs that have been or will be reimbursed under any other form of assistance. To the extent feasible, CIHA will ensure that any Financial Assistance provided to an Eligible Household pursuant to the EHA Program Funds is not duplicative of any other rental assistance provided to such household.

- a. If an Eligible Household receives a monthly federal subsidy (e.g., a Housing Choice Voucher, Public Housing, or Project-Based Rental Assistance) and the Eligible Household's rent is adjusted according to changes in income, the Eligible Household may not receive EHA Program assistance to cover the portion of the rental payment or utilities that has been subsidized, but EHA Program assistance can be provided to pay the Eligible Household's owed portion of Rent or Utility Costs (i.e., the amount that the Eligible Household is required to pay out of its own funds to the Landlord or utility provider).
- b. If an Eligible Household receives rental assistance other than through the EHA Program, EHA Program assistance may only be used to pay for costs, such as the tenant-paid portion of Rent and Utility costs, that are not paid for by the other rental assistance. CIHA must review the Eligible Household's income and sources of assistance to confirm that the EHA Program assistance does not duplicate any other assistance, including federal, state, and local assistance provided for the same costs.

12. Treatment of Assistance. Assistance provided to an Eligible Household from the EHA Program Funds will not be regarded as Income and will not be regarded as a resource for purposes of determining the eligibility of the Eligible Household or any member of the Eligible Household for benefits or assistance, or the amount or extent of benefits or assistance, under any other CIHA program.

C. Prohibition on Evictions by Landlords

1. Landlords that receive EHA funds under this Program for current rent, as a condition of receiving the funds, may not evict an Applicant for nonpayment of rent during the period covered by the Financial Assistance.
2. In addition, landlords that receive EHA funds under this Program for rental arrears, as a condition of receiving the funds, may not evict an Applicant for nonpayment of rent during the period covered by the Financial Assistance, consistent with applicable law.

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3. Landlords who receive direct payments under this Program will be required to sign an agreement with CIHA to ensure compliance with the prohibitions under this section, as well as to commit to use the funds received for the purposes permitted under this Program.

D. Housing Stability Services. Applicants and Recipients may be referred to Tribal or other supportive services programs for assistance with case management, obtaining and maintaining employment, and other services necessary to achieve housing stability. CIHA may require compliance with the terms of a work plan developed by supportive services providers as a condition of Financial Assistance.

SECTION IV. ELIGIBILITY

A. Eligibility Requirements. In order to be eligible to apply for the EHA Program, at the time the Applicant applies to the Program the Applicant must meet the following eligibility requirements:

1. The Applicant is homeless, unstably housed, or part of a household of one (1) or more individuals who are occupying as tenants and obligated to pay rent on a residential dwelling and with respect to which CIHA determines—
 - a. That one (1) or more individuals within the house has:
 1. Qualified for unemployment benefits as evidenced by a written attestation signed by the Applicant or other relevant documentation regarding the household member's qualification for unemployment benefits, or
 2. Experienced a reduction in household Income, incurred significant costs, or experienced other financial hardship, as evidenced by a written attestation signed by the Applicant that one (1) or more members of the household meets this condition;
 - b. That one (1) or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability, which may include:
 1. A past due utility or rent notice or eviction notice;
 2. Unsafe or unhealthy living conditions, including overcrowding, lack of adequate heat, plumbing, or sewer, threat or occurrence of domestic violence, criminal activity including drug-related criminal activity, as evidenced by a written attestation from the Applicant, documentary or photographic evidence, court or police records; or

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3. Any other evidence of such risk, as determined by CIHA, which evidence may include a written attestation from the Applicant, documentary or photographic evidence, court or police records; and
 - c. The household meets at least one (1) of the following income, citizenship, and geographic criteria:
 1. The household is located anywhere in the State of Oregon, contains one (1) family member (regardless of whether that member is an adult or head of household) who is a member of the Coquille Indian Tribe, and has a household income that is not more than the greater of eighty percent (80%) of the Area Median Income or eighty percent (80%) of the State Median Income for the household; or
 2. The household is relocating to or from the State of Oregon for the purpose of obtaining stable housing and employment, contains one (1) family member (regardless of whether that member is an adult or head of household) who is a member of the Coquille Indian Tribe, and has a household income that is not more than the greater of eighty percent (80%) of the Area Median Income or eighty percent (80%) of the State Median Income for the household.
- B. Income Determination.** In determining the income of a household for purposes of determining such household's eligibility for assistance from the EHA Program Funds, CIHA will consider the gross income of all adult household members. Income earned by household members who are minors or full-time students and are not considered heads of household is excluded. While household assets should be identified to determine that a program applicant lacks the resources to obtain or retain permanent housing, they are generally not counted as income.
1. **Annual Income.** CIHA may consider the household's gross annual income for the prior calendar year.
 - a. **Annual Income.** CIHA may choose between using the definition of "annual income" as provided by HUD in 24 CFR 5.609 or using adjusted gross income as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 series for individual Federal annual income tax purposes.
 - b. For determining annual income, CIHA should obtain at the time of application source documents evidencing annual income (e.g., wage statement, interest statement, unemployment compensation statement), or a copy of Form 1040 as filed with the IRS for the household.
 2. **Monthly Income.** Subject to subparagraph (a) below, CIHA may determine income based on sufficient confirmation of the household's monthly income at the time of Application for such assistance and extrapolating over a twelve-month (12-month) period

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to determine whether household income exceeds the greater of eighty percent (80%) of Area Median Income or eighty percent (80%) of State Median Income.

a. In the case of income determined based on monthly income under the preceding subparagraph (2), CIHA shall be required to re-determine the eligibility of a household's income each month for which the household receives assistance from the EHA Program Funds.

1. For determining monthly income, CIHA must obtain income source documentation for at least the two (2) months prior to the submission of the application for assistance.

3. **Documentation of Income Determination.** Applicant must provide sufficient information to CIHA to enable CIHA to have a reasonable basis under the circumstances for determining income. Except as discussed below, this generally requires a written attestation from the Applicant as to household income and also documentation available to the applicant to support the determination of income, such as paystubs, W-2s or other wage statements, tax filings, bank statements demonstrating regular income, or an attestation from an employer. As discussed below, under limited circumstances, CIHA may rely on a written attestation from the applicant without further documentation of household income. CIHA has the discretion to provide waivers or exceptions to this documentation requirement to accommodate disabilities, extenuating circumstances, or a lack of technological access. In these cases, CIHA is still responsible for making the required determination regarding the Applicant's household income and documenting that determination.

4. **Categorical Eligibility.** If an Applicant's household income has been verified to be at or below the greater of eighty percent (80%) of the Area Median Income or eighty percent (80%) of the State Median Income in connection with another tribal, local, state, or federal government assistance program, CIHA will rely on a determination letter from the government agency that verified the applicant's household income, provided that the determination for such program was made on or after January 1, 2022.

5. **Written Attestation Without Further Documentation.** To the extent that a household's income, or a portion thereof, is not verifiable (e.g., because a place of employment has closed) or has been received in cash, or if the household has no qualifying income, CIHA will accept a written attestation from the Applicant regarding household income. If such a written attestation without further documentation is relied on, CIHA will reassess household income for such household monthly. In appropriate cases, CIHA will rely on an attestation from a caseworker or other professional with knowledge of a household's circumstances to certify that an applicant's household income qualifies for assistance.

C. **Data-Sharing.** Data-sharing agreements between CIHA and utility providers or Landlords with multiple units may reduce administrative burdens and enhance program integrity by

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providing information to validate tenant-provided information. Therefore, CIHA may establish prudent information sharing arrangements with utility providers and Landlords for determining household eligibility.

1. CIHA should ensure that any such arrangements (1) comply with applicable privacy requirements; (2) include appropriate safeguards to ensure payments are made only for Eligible Households; and (3) are documented in records satisfying CIHA's reporting requirements, including, for example, the amount of assistance paid for each household.

SECTION V. APPLICATIONS FOR EHA PROGRAM

- A. Participation Applications.** To participate in the EHA Program, an Applicant must first submit a complete, written Application on the forms provided by CIHA. All information required to be on the forms must be completed, or the Application will be returned. Applications for the EHA Program must be submitted to CIHA by mailing or dropping off the Applications to the following address:

Coquille Indian Housing Authority
Attn. Emergency Housing Assistance Program
2678 Mexeye Loop
Coos Bay, OR 97420

Or submitting such Applications by email to: ehap@coquilleiha.org

Or submitting such Application by fax to: (541) 888-8266

The Application must include the following information and supporting documentation:

1. Applicant and Household Information

- a. Full name and date of birth of the applicant and of all members of Applicant's household;
- b. Applicant's address and contact information; rental unit address (if different from Applicant's current address);
- c. For Landlords and utility providers, the name, address, telephone number, email address, and Social Security Number, Tax Identification Number, or DUNS Number;
- d. Total amount of each type of assistance requested by Applicant to be provided to the household (i.e., rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears, and other expenses related to housing);
- e. Amount of outstanding rental arrears for the household;

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- f. Amount of outstanding utilities arrears for the household;
 - g. Number of months of rental payments and number of months of utility or home energy cost payments for which EHA Program assistance is requested;
 - h. Household income and number of individuals in the household; and
 - i. Gender, race, and ethnicity of the primary Applicant for assistance (for grant reporting purposes only).
2. **Financial Hardship.** Information and supporting documentation demonstrating that one (1) or more individuals within the household is experiencing financial hardship. The Applicant must submit documentation as set out in Section IV(A), above.
 3. **Housing Instability.** Information and supporting documentation demonstrating that one (1) or more individuals within the household is or is at risk of experiencing homelessness or housing instability. The Applicant must submit documentation as set out in Section IV (A), above.
 4. **Income.** Information and supporting documentation demonstrating the Applicant has a household income that is not more than the greater of eighty percent (80%) of the Area Median Income or eighty percent (80%) of the State Median Income. The Applicant must submit documentation as set out in Section IV(B), above.
 5. **Release of Information.** A release of information allowing CIHA to obtain and share data necessary for Applicant to participate in the EHA Program.
 6. **Attestation of Economic Hardship.** A signed self-attestation of economic hardship.
 7. Such other information as may be specifically requested by CIHA to document income and need.
 8. CIHA will require Applicant to furnish no more documentation than is reasonably necessary to complete the Application and that may pose a barrier to participation for Eligible Households.
- B. **Notification of Change of Eligibility.** Applicants are required to notify CIHA in writing immediately whenever any determining factor of eligibility changes. This includes:
1. No longer qualifying for unemployment benefits,
 2. No longer experiencing a reduction in household income or other financial hardship,
 3. No longer homeless, unstably housed, or facing a risk of homelessness or housing instability, or

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4. Having an income that is above the greater of eighty percent (80%) of the Area Median Income or eighty percent (80%) of the State Median Income for the household.

C. Falsification and Investigation

1. If it is discovered that an Applicant has falsified his or her Application, or otherwise abused the EHA Program, or if a Recipient fails to notify CIHA of changes to the household's eligibility, the household will be subject to penalties. Penalties will include ineligibility for continued participation in the EHA Program and repayment of the value of any benefit for which they were not eligible to receive. CIHA shall have the right to seek such repayment through garnishment of the Recipient's wages or other Tribal benefits, if any.
2. CIHA 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.

D. Application Review

1. The CIHA staff member receiving the Application shall sign and date the Application when it is received at the CIHA offices.
2. **Preferences and Priorities.** Applications will be reviewed and processed as they are received according to the following order of preferences.
 - a. The income of the household does not exceed the lesser of fifty percent (50%) of the Area Median Income or fifty percent (50%) of the State Median Income for the household.
 - b. One or more individuals within the household are unemployed as of the date of the Application for assistance and have not been employed for the ninety-day (90-day) period preceding such date.
 - c. In reviewing Applications, CIHA will further prioritize consideration of the Applications of an Eligible Household.
 1. First preference will be given to Eligible Households that have at least one family member (regardless of whether that member is an adult or head of household) who is Elderly (at least sixty-two (62) years of age) or Disabled.
 2. Second preference will be given to Eligible Households that have at least one family member (regardless of whether that member is the head of household) who is a Veteran and was discharged or released from active duty under honorable conditions.
 3. Third preference will be given to all other Eligible Households.

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3. **Approval of Application.** CIHA will notify Applicants in writing, within fourteen (14) days of CIHA's receipt of the Application, of CIHA's decision of whether the Applicant has been approved to receive Financial Assistance.
4. **Denial of Application.** If upon initial review, CIHA determines that the Applicant is not eligible or the request is outside of this Policy, or there are no longer any EHA Program Funds available, CIHA will notify the Applicant in writing of this determination, the applicable policies which support the determination, and the process of appeal (if allowed).
 - a. **Process of Appeal.** Any Applicant who is dissatisfied with a decision of CIHA concerning eligibility or assistance, the level of benefit approved, or the type of services available, can appeal that decision under the regular CIHA appeal procedures for denial of services.
 - b. **No Appeal.** If the reason for the denial of the Application is that there are no longer any EHA Program Funds remaining, such denial is not subject to appeal.
5. **Notice of Preference.** CIHA will publicly post a description of CIHA's prioritization methods at its administrative office, as well as on any program webpage.

SECTION VI. EHA PROGRAM PARTICIPATION

A. Submission of Documentation

1. Once an Applicant is approved for participation in the EHA Program, they must submit information and documentation on the Rent Arrears, Utility Costs Arrears, Current Rent, and Current Utility Costs for which they are seeking Financial Assistance.
 - a. Applicants may submit the above information and documentation at the same time that they submit their initial program Application.
2. For each additional month (if applicable) that a Recipient seeks Financial Assistance under this EHA Program, the Recipient must submit the information and documentation listed below for the Rent and Utility Costs for which they seek assistance.
3. **Information and Documentation of Need for Financial Assistance.** Applicants and Recipients must submit information and supporting documentation on the following:
 - a. Signed copy of the Applicant's current or prospective rental agreement; and
 - b. **Rent Arrears.** If the applicant is seeking assistance for past rent for which they are in arrears:
 1. Copies of the notice(s) of past rent due;

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2. Documentation detailing the past rent due, accrual of any interest charges and/or penalties, and the total amount in arrears;
 3. Name and current address of the Landlord to whom payment must be made.
- c. **Utility Costs Arrears.** If the applicant is seeking assistance for past utilities for which they are in arrears:
1. Copies of the notice(s) of past Utility Costs due;
 2. Documentation detailing the past Utility Costs due, accrual of any interest charges and/or penalties, and the total amount in arrears;
 3. Name and current address of utility provider to whom payment must be made.
- d. **Current Rent or Rental Deposit.** If the applicant is seeking assistance for a current Rent payment or Rental Deposit:
1. Name and current address of the Landlord to whom payment must be made.
- e. **Current Utility Costs.** If the applicant is seeking assistance for current Utility Costs:
1. Copy of utility bill showing utility costs due; and
 2. Name and current address of utility provider to whom payment must be made.
- f. **Commitment to Use for Permissible Purposes.** Applicants (and their Landlords) who receive Financial Assistance through the Program must commit in writing to use Financial Assistance only for the intended purpose before CIHA will issue a payment.

B. Additional Payments

1. If a Recipient who has already received assistance for Rent or Utility Costs seeks assistance for additional Rent or Utility Costs, and less than three (3) months have elapsed since assistance was last received, the Recipient must submit documentation of continued eligibility. If three (3) or more months have elapsed since assistance was last received, the Recipient must submit a new application for additional Financial Assistance.

SECTION VII. EHA PROGRAM MANAGEMENT

A. Maintenance of and Access to Records

1. CIHA must create and maintain a set of files for the EHA Program separate from all other CIHA programs. Any Recipient who also participates in another CIHA program must have a separate file maintained specifically for the EHA Program.

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2. CIHA may copy relevant documents from a Recipient’s existing file under a separate CIHA program so that the Recipient does not need submit the same documentation twice, provided that the copied documentation for the EHA Program is kept separately with all other EHA Program files.
3. CIHA shall maintain records and financial documents sufficient to support compliance regarding the eligible uses of funds.
4. The State of Oregon, or its authorized representatives, shall have the right of access to the records (electronic and otherwise) of CIHA in order to conduct audits or other investigations.
5. CIHA shall maintain records for a period of six (6) years after all funds have been expended or returned to OHCS.

B. Reporting Requirements

1. CIHA must maintain and submit Recipient data as required by OHCS. CIHA is required to enter client and service data into the ServicePoint Homeless Management Information System (“HMIS”) and is responsible for acquiring and documenting informed written consent from program participants, and protecting program participant’s confidentiality. CIHA shall review the information entered or submitted through OHCS online reporting systems for any errors and completeness.
2. **Privacy Requirements.** CIHA shall establish data privacy and security requirements for the information required for the use of EHA Program Funds. The data privacy and security requirements must—
 - a. Include appropriate measures to ensure that the privacy of the individuals and households is protected;
 - b. Provide that the information, including any personally identifiable information, is collected and used only for the purpose of submitting reports in compliance with this Policy; and
 - c. Provide confidentiality protections for data collected about any individuals who are survivors of intimate partner violence, sexual assault, or stalking.

C. Compliance with Applicable Laws and Regulations. CIHA will comply with all applicable laws and regulations in carrying out housing activities funded by the OHCS Tribal Shelter Grant Program.

D. Fraud Prevention. CIHA and CIHA staff will apply reasonable fraud-prevention procedures in distributing Financial Assistance under the Program. In doing so, CIHA will

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investigate and address potential instances of fraud or the misuse of funds that it becomes aware of.

SECTION VIII. USE AND MANAGEMENT OF FUNDS

- A. **Use of Funds.** CIHA understands and agrees that EHA Program Funds may only be used for the purposes set forth in the OHCS Tribal Shelter Grant agreement, as amended. EHA Program Funds will be used to pay for the services set out in this Policy to the maximum extent permitted by law. CIHA will require all EHA fund Recipients to attest to the same, but CIHA need not obtain documentation evidencing the use of EHA Program Funds by Applicants and Landlords.
- B. **Financial Management of EHA Program Funds.** EHA Program Funds shall be accounted for separately from other CIHA funds.
- C. **Administrative Costs**
1. CIHA may not use more than fifteen percent (15%) of the amount of the EHA Program Funds that CIHA receives for administrative costs attributable to providing Financial Assistance and Housing Stability Services, as defined above, to Eligible Households.
 2. EHA Program Funds may not be used for any administrative costs other than to the extent allowed under OHCS guidelines.
- D. **Expenditure of EHA Program Funds.** EHA Program Funds received by CIHA must be expended within the timeframe set forth in the OHCS Tribal Shelter Grant agreement, typically by June 30th of the applicable funding period.
- E. **Collaboration and Preventing Evictions**
1. CIHA may collaborate with other assistance providers with overlapping or contiguous areas to develop consistent or complementary terms of their programs and to coordinate in their communications to minimize potential confusion regarding assistance. CIHA is encouraged to reduce burdens for Applicants seeking assistance from multiple grantees across different jurisdictions.
 2. CIHA may develop partnerships with courts that adjudicate evictions for nonpayment of rent to help prevent evictions and develop eviction diversion programs. For example, CIHA may consider: (1) providing information to judges, magistrates, court clerks, and other relevant court officials about the availability of assistance under the EHA Program; (2) working with eviction courts to provide information about assistance under the EHA Program to tenants and Landlords as early in the adjudication process as possible; and (3) engaging providers of legal services and other housing stability services to assist households against which an eviction action for nonpayment of rent has been filed.

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F. **Cost Sharing.** Cost sharing or matching funds are not required to be provided by CIHA.