

**2021**  
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<b>RECIPIENT NAME:</b>	<b><u>Regulatory/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>W/P Pg.</u></b>	<b><u>Remarks</u></b>
<b>I. Purpose</b>				-
The purpose of the occupancy review is to ensure the recipient complies with the requirements of Sections 203 and 207 of NAHASDA and its own policies and procedures.	NAHASDA, Sections 203 & 207 24 CFR 1000.104 thru 110			Read & Noted
<b>II. Pre-Visit Preparation</b>				-
<p>A. If available, review the following documents as they pertain to occupancy:</p> <ol style="list-style-type: none"> <li>1. Most recent IHP, approved IHP amendments, IHP amendments in process</li> <li>2. Recipient's policies and procedures (see section III for review instructions)</li> <li>3. Previous monitoring findings and corrective actions status for findings</li> <li>4. Previous self-monitoring report(s)</li> <li>5. Previous 2 CFR Part 200 and OIG audit findings, work papers, and management plan status for findings</li> <li>6. Previous and current enforcement actions</li> <li>7. Valid complaints</li> <li>8. Relevant correspondence</li> </ol>	<p>NAHASDA, Section 203(d)</p> <p>24 CFR 1000.526</p>			<p>Read &amp; Noted</p> <p>NOTE for HP and Rapid Rehousing: Clients at or under 30% of income level will be enrolled in the Skagit County programs; whereas those over 30% will be enrolled in the HUD programs. For 2022, the program is trying to negotiate up to 50% to be applicable with Skagit County program.</p>



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
<b>III. On-Site Review</b>				-
<b>A. All Programs</b> (including homeownership, rental, tenant-based rental assistance, down payment assistance, emergency assistance, etc.)				Read & Noted
1. Identify sampling of multiple program occupancy records.				I have chosen 10 client files at random, using an online random number generator
2. Review the sampling methods in the General Instructions for Monitoring Plans.	24 CFR 1000.503			Read & Noted
3. Review the identified files for adequacy, accuracy, and completeness.				All files are adequate, accurate and complete upon review.
<p>a. <u>Low-income families</u>. Using the attached Tenant Files Review Form or the Occupancy Review Form, determine if the participating families were low income at the time they entered into the program.</p> <p>NOTE: It is up to the reviewer to select the most appropriate form for reviewing occupant files. The Tenant Files Review Form is good when the tribe/TDHE's files are program-based and the Occupancy Review Form is good for occupant-based filing systems.</p>	NAHASDA, Sec. 205(a)(1)(A) – (D)	Tenant Files Review Form  <i>See Attached: Occupancy Review Forms</i>		Yes, all 10 were verified as low-income in their file and adequate support provided.  NOTE: We are utilizing the Occupancy Review Form.



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
(1) Do the files have supporting documentation verifying income?				A: Yes for all 10 reviewed
(2) Do the files have supporting documentation verifying income prior to providing emergency housing assistance?				A: N/A None of the files are an emergency client in 2021
(3) Does the tribe/TDHE's Admissions and Occupancy Policy state that families can continue to participate in the program if they subsequently become non low-income?				Yes, that possibility is addressed within our policy, but it does not apply to any of the chosen files in 2021.
b. <u>Non low-income families.</u> If participating families are not low-income, do the files contain documentation that verify:	24 CFR 1000.110	PIH 2014-02		N/A in 2021
(1) The tribe/TDHE has determined there is a need for housing for those families that cannot be reasonably met without the assistance?				N/A in 2021



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
(i) Has the tribe/TDHE used less than 10% of its annual grant amount to assist families with incomes within 80-100% of median?				N/A in 2021
(ii) If the tribe/TDHE used more than 10% of its annual grant amount for families with incomes within 80 – 100% of median, did it obtain prior HUD approval?				N/A in 2021
(iii) If the tribe/TDHE assisted families whose income is over 100% median, did it obtain prior HUD approval?				N/A in 2021
c. <u>Other eligible families.</u> Do the files contain documentation that verify:	24 CFR 1000.110	PIH 2014-02		N/A – no other eligible families were served by the program in 2021
(1) The tribe/TDHE has determined and documented clearly that the presence of the family on the reservation or Indian area:	NAHASDA, Sec. 201(b)(3)			N/A in 2021



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
(i) Is essential to the well-being of Indian families, and				N/A in 2021
(ii) The need for housing cannot be reasonably be met without IHBG assistance?				N/A in 2021
(iii) Does the tribe/TDHE have a definition for “essential” families in its Admissions and Occupancy Policy?				N/A in 2021
(2) If the participant is a law enforcement officer:	NAHASDA, Sec. 201(b)(4)			N/A in 2021
(i) Is the participant employed full time as a law enforcement officer?				N/A in 2021
(ii) As a full-time enforcement officer, is he/she sworn to uphold the law and make arrests?				N/A in 2021

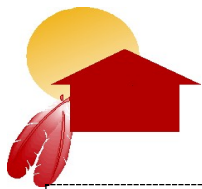


RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
(iii)Has the tribe/TDHE determined that the law enforcement officer's presence may deter crime?				N/A in 2021
4. Review participant selection practices.	NAHASDA, Section 207(b)			Read & Noted
a. Review recent selections to ensure they are in accordance with selection procedures.				All 10 reviewed and they are all in accordance with program procedures and policies Minutes reviewed, and except for approving of updates in policy for the program, the Tribal Council is not engaged in selection of clients.
b. Review minutes from the Board of Commissioners' meetings to ensure compliance with selection policies and procedures.				Minutes reviewed, and except for approving of updates in policy for the program, the Tribal Council is not engaged in selection of clients.
c. Determine if Native American status is verified.	NAHASDA, Section 201(b) 24 CFR 1000.104			Yes, on all 10
d. Review the requirements regarding conflicts of interest to determine if the recipient:				Read & Noted
(1) has included conflict of interest provisions in its policy(s),	2 CFR 200.308(c)(1) 24 CFR 1000.30	<i>See Attached</i>		Yes, Conflict of Interest Policy for HUD Funding §13.300



RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
(2) is notifying HUD:				<p>Notification requirements are covered in the policy and are also now part of the Client Intake Checklist.</p> <p>We identified 4 current clients whose intake occurred from 2013-2016 that failed to recognize that Tribal Council presented both a real and apparent conflict even if they procedurally did not engage in admission for the program, and or, failed to properly document compliance with HUD ONAP notification and Public Posting as required. As a result, the program audited all current client files to identify all current clients that did not have sufficient documentation regarding conflict of interests. There were 4 files identified that the program re-did the notification and public posting for to ensure sufficient documentation was in the client file now.</p> <p>We also decided this year to make the declaration of a conflict part of the annual recertification process as well, since conflicts could arise after intake due to marriage or deaths.</p>
(a) if a person who participates in the decision-making process or who gains inside information with regards to NAHASDA is provided housing-related services	24 CFR 1000.30(b)			None in 2021

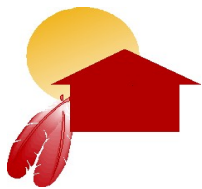




<p>(b) of the nature of the assistance to be provided and the basis for selection of the person, and</p>	<p>24 CFR 1000.30(c)</p>			<p>None in 2021</p>
<p>(c) is making public disclosure.</p>	<p>24 CFR 1000.30(c)</p>			<p>None in 2021</p>
<p><b>B. Homeownership and Rental Programs</b></p>	<p>NAHASDA, Section 203(a)</p>			<p>-</p>
<p>1. Using the tenant file sample and the Tenant Files Review Form or the Occupancy Review Form, review homebuyer and rent payments to determine if the practices comply with the tribe/TDHE's policies, NAHASDA, and regulations for computing payments and establishing rents.</p>	<p>24 CFR 1000.124 24 CFR 1000.126 24 CFR 1000.130 24 CFR 1000.132</p>	<p>Tenant Files Review Form  Occupancy Review Form</p>		<p>Read &amp; Noted</p>



<b>RECIPIENT NAME:</b>	<b><u>Regulatory/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>W/P Pg.</u></b>	<b><u>Remarks</u></b>
NOTE: It is up to the reviewer to select the most appropriate form for reviewing occupant files. The Tenant Files Review Form is good when the tribe/TDHE's files are program-based and the Occupancy Review Form is good for occupant-based filing systems.				
2. Review income eligibility verifications, using the Tenant Files Review Form or Occupancy Review Form to determine:				Read & Noted, reviewed 10 client files as attached for rental TBRA clients – no homebuyers in 2021
a. If the tenant or homebuyer is income eligible at the time they entered into the program.	24 CFR 1000.128(a) 24 CFR 1000.146			Yes, all 10 reviewed and found eligible
b. Are re-certifications are performed, if required.	24 CFR 1000.128(b)			Yes, recertification was in place as needed
c. That third-party verification is obtained.				Yes, all tested used tax return, paystubs, SSI Confirmations, and bank statements as applicable
d. That practices are consistent with the recipient's policies.				Yes, consistent with both policies and procedures
3. Review lease and homeownership agreements to determine if they comply with the IHBG regulations.	NAHASDA, Section 207(a) and (b)			Read & Noted – we review the TBRA client leases and act as an advocacy with Landlord if needed during negotiations. We do terminate rental relationships with landlords who practice violations of these standards.



<b>RECIPIENT NAME:</b>	<b><u>Regulatory/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>W/P Pg.</u></b>	<b><u>Remarks</u></b>
a. Do they contain unreasonable terms and conditions?	NAHASDA, Section 207(a)(1)			N/A: 3 <sup>rd</sup> party leases in place
b. Do they require the recipient to maintain housing in compliance with applicable housing codes and quality standards?	NAHASDA, Section 207(a)(2)			N/A: 3 <sup>rd</sup> party leases in place
c. Do they require the recipient to give the period of time established by tribal or local law for written notice of termination of the lease?	NAHASDA, Section 207(a)(3)			N/A: 3 <sup>rd</sup> party leases in place
d. Do they state that a resident has the opportunity to examine any relevant documents, records, or regulations directly related to their eviction or termination prior to any hearing or trial?	NAHASDA, Section 207(a)(4)			N/A: 3 <sup>rd</sup> party leases in place
e. Do they note that the recipient may not terminate the tenancy, during the term of the lease, except for serious or repeated violations of the terms or conditions of the lease, violation of Federal, State, tribal, or local law, or for other good cause?	NAHASDA, Section 207(a)(5)			N/A: 3 <sup>rd</sup> party leases in place



<b>RECIPIENT NAME:</b>	<b><u>Regulatory/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>W/P Pg.</u></b>	<b><u>Remarks</u></b>
f. Do they provide for the recipient to terminate the tenancy of a resident for any activity the resident, a member of the household, or any guest or other person under the control of the resident may be engaged in that:	NAHASDA, Section 207(a)(6)			N/A: 3 <sup>rd</sup> party leases in place
(1) threatens the health or safety of, or right to peaceful enjoyment of the premises by, other residents or the recipient's employees;	NAHASDA, Section 207(a)(6)(A)			N/A: 3 <sup>rd</sup> party leases in place
(2) threatens the health or safety of, or right to peaceful enjoyment of the premises by, persons residing in the immediate vicinity of the premises; or	NAHASDA, Section 207(a)(6)(B)			N/A: 3 <sup>rd</sup> party leases in place
(3) includes criminal activity (including drug-related criminal activity) on or off the premises?	NAHASDA, Section 207(a)(6)(C)			N/A: 3 <sup>rd</sup> party leases in place
<b>C. Tenant Accounts Receivable (TARs)</b>				-
1. Identify the current dollar amount and percentage of total TARs.				N/A in 2021 – No housing stock being rented by Samish



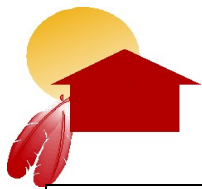
RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>										
<p>NOTE. The TARs percentage equals the total TARs divided by the total tenant revenue due, including rent and other charges.</p> <p>NOTE: High TARs is not a violation of the statute or regulations; therefore, a finding cannot be made in this monitoring area. Instead, high TARs would be a concern.</p>				N/A in 2021 – No housing stock being rented by Samish										
<p>2. Using the rating scale below, is the recipient’s TARs percentage poor or very poor? If yes, this is a concern.</p> <table border="1" data-bbox="111 854 701 1045"> <thead> <tr> <th>TARs Percentage</th> <th>TARs Rating Scale</th> </tr> </thead> <tbody> <tr> <td>0% - 9%</td> <td>Very good</td> </tr> <tr> <td>10% -24%</td> <td>Fair</td> </tr> <tr> <td>25% - 49%</td> <td>Poor</td> </tr> <tr> <td>50% and higher</td> <td>Very poor</td> </tr> </tbody> </table>	TARs Percentage	TARs Rating Scale	0% - 9%	Very good	10% -24%	Fair	25% - 49%	Poor	50% and higher	Very poor				N/A in 2021 – No housing stock being rented by Samish
TARs Percentage	TARs Rating Scale													
0% - 9%	Very good													
10% -24%	Fair													
25% - 49%	Poor													
50% and higher	Very poor													
<p>3. Is the recipient abiding by its Occupancy Policy when it comes to:</p>				N/A in 2021 – No housing stock being rented by Samish										
<p>a. Rent collection?</p>				N/A in 2021 – No housing stock being rented by Samish										
<p>b. Repayment plans?</p>				N/A in 2021 – No housing stock being rented by Samish										
<p>c. Eviction for non-payment of rent?</p>				N/A in 2021 – No housing stock being rented by Samish										



<b>RECIPIENT NAME:</b>	<b><u>Regulatory/ Statutory Citation</u></b>	<b><u>Other Tools</u></b>	<b><u>W/P Pg.</u></b>	<b><u>Remarks</u></b>
4. Does the recipient initiate counseling when a tenant begins to lag in rental payments?				N/A in 2021 – No housing stock being rented by Samish
<b>D. Down Payment Assistance</b>				-
1. If the recipient has a down payment assistance program. If so:	24 CFR 207(b)			N/A in 2021
a. Does the recipient have policies that address the requirements for this type of assistance?				Our down payment policy is in the housing policy §13.204, but the program was inactive and not included in the IHP for 2021
b. Does the recipient have an application process and select recipients from a waiting list?				N/A in 2021
2. Select a sample of recipients and determine whether the recipients are eligible (low-income, Native American family). (Review the sampling methods in the General Instructions.)	24 CFR 1000.104			N/A in 2021

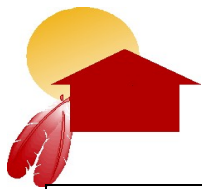


RECIPIENT NAME:	<u>Regulatory/ Statutory Citation</u>	<u>Other Tools</u>	<u>W/P Pg.</u>	<u>Remarks</u>
a. Did the recipient determine whether the home being purchased was within TDC limits?	24 CFR 1000.158(c)			N/A in 2021
b. Is there documentation to demonstrate that there are no lead-based paint issues?		PIH Notice 98-54 (HA)		N/A in 2021
c. Is there a binding agreement to ensure that the home remains affordable for a period of time? (A lien on property is also appropriate.)	24 CFR 1000.142 24 CFR 1000.144			N/A in 2021
<b>IV. Summary</b>				-
<p>A. Summarize the results of the review in a work paper.</p> <p>B. Discuss significant issues with Supervisor.</p> <p>C. Develop findings, including questioned costs and corrective actions, as appropriate.</p> <p>D. Develop concerns because they could lead to a violation</p> <p>E. Develop report language, including any findings and concerns.</p> <p>F. If there are any major issues identified in this review and the recipient has approval to invest, determine if a withdrawal of investment authority should be recommended.</p>				<p>Area of Non-Compliance found and corrective actions have been completed:</p> <p><b>Corrective Actions:</b></p> <p><u>Update of Policy needed for compliance:</u> We find ASAP that section 13.302(b)(2) needs to be updated from “Tribal Administration building” to allow for the virtual public posting taking place now for public disclosures and access. This is needed to ensure we comply with our policy even during the WFH declaration now in place due to C19 since we are not updating a book nor have it available for public review at Tribal Admin, but instead have it available for review on Samish’s public</p>



			<p>website in the Housing Department's section. This corrective action should occur by the end of the first quarter of 2022 due to TC resolution and policy edit being needed.</p> <p><u>Additional Procedure needed to ensure Conflict of Interest regulations are met:</u> One client that was reviewed during the monitoring was admitted in 2016 and was found to have failed to recognize the apparent, if not real, conflict that existed with relation to a Tribal Council member. That conflict was not present in 2021 as that TC member had stepped down in 2020, and since the conflict no longer exists, we will not work to declare that possible conflict at this time as a correction; however, this did alert us that the tribal enrollment verification form needs to be done annually moving forward.</p> <p>The program will have all current client's enrollment verification sheet done for 2021-2022 by the Enrollment officer and will now have it done annually as part of the recertification process. This will ensure that if their enrollment status changes or if they form a new relationship presenting a conflict in that year (such as marriage or divorce) that we can catch the new conflict timely to complete the public notice and notification to ONAP at that time.</p> <p>We also found one client with a declared conflict in their file that did not have evidence of submission to ONAP or public posting through our review. In discussions with Sharon, this could be an issue for all files prior to 2020.</p>
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			<p>As a result, all current client files were reviewed to identify any client that needed sufficient documentation. That process identified 3 clients whose intake occurred between 2013-2016 that did not have sufficient documentation in their file, so the program completed public posting and ONAP notification again for those 3 clients at this time to ensure sufficient documentation is in place and program is in compliance.</p> <p>Moving forward, the public posting and ONAP notification steps have been added into the Client In-Take Checklist form to ensure they are completed and properly documented within the client file.</p> <p><b>Improvements:</b></p> <p>We had discussion about starting to have case manager present at the exit inspections with the landlord as an advocate for the client. Looking to implement this in 2022 as an added service for as long as capacity allows.</p>
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Office of Native American Programs

Admissions and Occupancy  
Monitoring Plan  
RECIPIENT

Reviewer Name:	Jenna Burnett, with Tiffany Ross, interviewed Sharon Paskewitz and Justin Krupa
Review Date(s):	12/07/2021

Jenna Burnett:

Tiffany Ross:

Sharon Paskewitz:

Justin Krupa:

Reviewed and Approved by Carey Thurston, CFO: