

THE TULALIP TRIBES OF WASHINGTON

TULALIP HOMEOWNER ASSISTANCE FUND (THAF) PLAN

The American Rescue Plan Act Homeowner Assistance Fund Overview

On March 11, 2021, President Biden signed the historic American Rescue Plan Act (ARPA) that included the Homeowner Assistance Fund (HAF). From the HAF, the State of Washington will receive \$173,153,935. The funds are available for use through September 30, 2025.

The United States Department of the Treasury (Treasury) is administering these funds and released HAF Guidance on April 14, 2021, which requires a HAF Plan or a date by which a HAF plan to be submitted to Treasury by June 30, 2021.

Treasury has set forth the purpose of the HAF on its website:

The purpose of the Homeowner Assistance Fund (HAF) is to prevent mortgage delinquencies and defaults, foreclosures, loss of utilities or home energy services, and displacement of homeowners experiencing financial hardship after January 21, 2020. Funds from the HAF may be used for assistance with mortgage payments, homeowner's insurance, utility payments, and other specified purposes. The law prioritizes funds for homeowners who have experienced the greatest hardships, leveraging local and national income indicators to maximize the impact.

Program Overview and Capacity to Run Program

Tulalip Tribes is providing General Welfare Homeowners Assistance through the Department of Treasury's Homeowner Assistance Fund (HAF) authorized by section 3206 of the American Rescue Plan Act of 2021 (ARPA).

The Tulalip Tribes is currently running two similar programs to the THAF. Tulalip Housing Department administered a mortgage assistance program and continue providing rental assistance and a voucher program. Through the CEO office, the Tribe is currently offering the Tulalip Tribes Emergency Rental Assistance Program (TERAP). These programs demonstrate Tulalip's capacity and knowledge to administer the Tulalip Homeowner Assistance Fund (THAF) program.

Homeowner Needs and Engagement

Data-Driven Assessment of Homeowner Needs: Tulalip Housing provided mortgage and utilities assistance to 131 qualified applicants. The mortgage payments ranged from \$522 to \$2,652 with an average of \$1,350. This demonstrates a continuing need in our community for the Homeowners Assistance Fund.

Tulalip Tribes is located in Snohomish County with a county delinquent mortgage rate of 4%.

Evidence of Public Participation and Community Engagement: Tulalip's HAF plan will be posted on the Tulalip website for review and public comment for seven days. A Tulalip Homeowner Assistance Fund Plan Public Hearing will occur via zoom on June 23, 2021.

THAF program will be advertised in the Tribal Newspaper, See-Yaht-Sub, Tribal member email list, and on the Tribal Facebook page. Tulalip Media & Marketing will create videos advertising the THAF program and important dates for the Tulalip website and Facebook.

Program Description

HOMEOWNER ASSISTANCE OVERVIEW

- A. Tulalip Tribes shall only use the THAF Program Funds to provide financial assistance to Eligible Homeowners to use for qualified expenses for the uses set forth herein and in accordance with the terms of the THAF Procedure.
1. Application. To participate in the THAF Program, a Homeowner must first submit a complete, written Application to the Tulalip Tribes. This Application must include all information required by the Tulalip Tribes, as described herein.
 - a. ***NOTE: incomplete applications will be returned to applicant and they must resubmit as a complete application.***
 2. Participation. If an Applicant is approved for participation in the THAF Program, they must then submit information and supporting documentation as requested.
- B. Qualified Expenses
1. Applicants may only receive Services from a or b (not both):
 - a. The following services may be funding for up to 6 months and up to \$15,000 total:
 1. Mortgage payment assistance, will be paid in 3 month increments, applicant must reapply after 3 months;
 2. Homeowner's utilities, including electric, gas, home energy, and water, assistance will be available for 6 months, bills will need to be submitted monthly. Applicant must reapply after 3 months;
 3. Homeowner's internet service, including broadband internet access service, as defined in 47 CFR 8.1(b) (or any successor regulation), assistance will be available for 6 months, bills will need to be submitted monthly. Applicant must reapply after 3 months;¹
 4. Homeowner's insurance, flood insurance, and mortgage insurance, assistance will be available for 6 months, bills will need to be submitted monthly. Applicant must reapply after 3 months;
 5. Homeowner's association fees or liens, condominium association fees, or common charges, assistance will be available for 6 months, bills will need to be submitted monthly. Applicant must reapply after 3 months.
 - b. The following are one-time assistance, with a maximum amount of

\$15,000 available. Tulalip Tribes reserves the right to review higher need requests on a case by case basis, and may authorize additional funding.

1. Down payment assistance loans provided by nonprofit or government entities;
2. Payment assistance for delinquent property taxes to prevent homeowner tax foreclosures;
3. Measures to prevent homeowner displacement, such as home repairs to maintain the habitability of a home or assistance to enable households to receive clear title to their properties;

c. The following are administrative items:

1. Counseling or educational efforts by housing counseling agencies approved by HUD, or legal services, targeted to households eligible to be served with funding from the THAF Program related to foreclosure prevention or displacement, in an aggregate amount up to 5% of the funding from the THAF Program received by the Tulalip Tribes;
2. Planning, community engagement, needs assessment, and administrative expenses related to Tulalip Tribes' disbursement of THAF Program Funds for qualified expenses, in an aggregate amount not to exceed 15% of the funding from the THAF Program received by the Tulalip Tribes.

2. 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 THAF Program assistance, if THAF Program Funds are not applied to costs that have been or will be reimbursed under any other federal assistance. To the extent feasible, Tulalip Tribes will ensure that any financial assistance provided to an Eligible Homeowner pursuant to the THAF Program Funds is not duplicative of any other Federally funded rental assistance provided to such Homeowner.

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

ELIGIBILITY

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

1. The Applicant is a homeowner who has experienced a financial hardship after January 21, 2020, and have an income equal to or less than 150% of the area median income.
 - a. Applicants with income equal to or less than 100% of the area median income will receive 5 points.

FY 2022 Income Limit Area	FY 2022 Income Limit Category	Persons in Family							
		1	2	3	4	5	6	7	8
	Very Low (50%)								
Seattle-Bellevue, WA HUD Metro FMR Area	Income Limits (\$)	\$45,300	\$51,800	\$58,250	\$64,700	\$69,900	\$75,100	\$80,250	\$85,450
Seattle-Bellevue, WA HUD Metro FMR Area	100%	\$90,600	\$103,600	\$116,500	\$129,400	\$139,800	\$150,200	\$160,500	\$170,900
	150%	\$135,900	\$155,400	\$174,750	\$194,100	\$209,700	\$225,300	\$240,750	\$256,350

2. The Applicant attests to the nature of the financial hardship experienced 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).
 3. Applications will be processed on a point system (as funds are available) and will be accepted from the following:
 - a. Household meeting the qualifications has at least 1 enrolled Tulalip Tribal Member, residing anywhere in the United States, as long as they have not received assistance from any other entity (5 points); or
 - b. Member of any federally recognized Tribe residing on the Tulalip Reservation (or Tulalip’s IHS Service Area), meeting the qualifications and have not received assistance from any other entity (4 points); or
 - c. Socially disadvantaged employees of Tulalip Tribal Government, QCV or TGO, meeting the qualifications, who reside on the Tulalip Reservation and have not received assistance from any other entity (3 points).
 - d. Veterans will receive 3 points.
 4. Applicants who have to homeowners who have Federal Housing Administration (FHA), Department of Veterans Affairs (VA), or U.S. Department of Agriculture (USDA) mortgages and homeowners who have mortgages made with the proceeds of mortgage revenue bonds or other mortgage programs that target low- and moderate-income borrowers will be given 3 extra points.
- B. THAF Program Funds received by an Applicant must only be used for qualified expenses set forth in this Procedure that are related to the Dwelling that is used as the homeowner’s primary residence.
- C. The amount of the home mortgage must be under the conforming loan limit for the year the promissory note was approved.
- D. Income Determination. In determining the Income of a household for purposes of determining such household’s eligibility for assistance from the THAF Program Funds, Tulalip Tribes may use HUD’s definition of “annual income” in 24 C.F.R. § 5.609 or use adjusted gross income as defined for purposes of reporting on Internal Revenue Service (IRS) Form 1040 series for individual federal annual income tax purposes.

1. Documentation of Income Determination: Applicant must provide sufficient information to Tulalip Tribes to enable Tulalip Tribes to have a reasonable basis under the circumstances for purposes of determining if the income eligibility requirements in (A) above are met. the household may provide a written attestation as to household income together with supporting documentation such as paystubs, W-2s or other wage statements, IRS Form 1099s, tax filings, depository institution statements demonstrating regular income, or an attestation from an employer; or

In implementing the THAF Program, Tulalip Tribes will avoid establishing documentation requirements that are likely to be barriers to participation for eligible households, including those with irregular incomes such as from a small business.

2. Wavier or Exception to Documentation Requirement: Tulalip Tribes may provide a waiver or exception to documentation of income requirement as reasonably 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, Tulalip Tribes is still responsible for making the required documentation regarding household income and documenting that determination.

APPLICATIONS FOR THAF PROGRAM

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

Tulalip Tribes, CEO Office
6406 Marine Dr.
Tulalip, WA 98271

Or submitting such Applications by email to: caresact@tulaliptribes-nsn.gov

The Application must include the following information and supporting documentation:

1. Applicant and Household Information. Homeowners must submit applicant and household information as included in the Application Form.
2. Financial Hardship. Homeowners must 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).
3. Income. Homeowners must have incomes equal to or less than 150% of the area median income. Must provide income verification for everyone in the home over the age of 18 or a zero income statement.
4. Release of Information Form.

5. Documentation Showing Home Ownership.
 - 1) The Promissory Note and
 - 2) The recorded document securing the property which is either
 - a. Mortgage or
 - b. Deed of Trust or
 - c. Other Consensual Security Interest (e.g. Pledge)

- B. Notification of Change of Eligibility. Applicants are required to notify Tulalip Tribes 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.

- C. Falsification and Investigation.
 1. If it is discovered that an Applicant has falsified his or her Application, or otherwise abused the THAF Program, or if an Eligible Homeowner fails to notify Tulalip Tribes of changes to eligibility, the homeowner will be subject to penalties. Penalties will include ineligibility for continued participation in the THAF Program and repayment of the value of any benefit for which they were not eligible to receive. Tulalip Tribes shall have the right to seek such repayment through garnishment of the Tribal Member's per capita distribution or wages, if any.
 2. Tulalip Tribes 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 Tulalip Tribes staff member receiving the Application shall sign and date the Application when it is received at the Tulalip Tribes offices.
 2. Preferences and Priorities. Applications will be reviewed and processed as they are received. However, in anticipation of Tulalip Tribes receiving a substantial number of applications within a short period of time, with a finite amount of funding available, Tulalip Tribes shall review and process Applications for THAF Program Funds under this Procedure according to the following order of preferences, and in accordance with the THAF Plan submitted to, and approved by, the Secretary.
 - a. Not less than 60% of amounts made available to Tulalip Tribes must be used for qualified expenses that assist Eligible Homeowners having incomes equal to or less than 100% of the area median income or equal to or less than 100% of the median income for the United States, whichever is greater, utilizing the following preferences:
 1. First preference will be given to socially disadvantaged Eligible

- Homeowners that have at least one family member (regardless of whether that member is an adult or head of household) who is a Tribal Member.
2. Second preference will be given to socially disadvantaged Eligible Homeowners that have at least one family member (regardless of whether that member is an adult or head of household) who is a member of an Indian Tribe.
 3. Third, preference will be given to other Socially Disadvantaged Individuals.
- b. The remaining 40% of amounts made available to Tulalip Tribes will be prioritized to socially disadvantaged individuals utilizing the same preferences as set out in subsection (a), above.
3. Approval of Application. Tulalip Tribes will notify Applicants in writing, within fourteen (14) days of Tulalip Tribes' receipt of the Application, of Tulalip Tribes' decision of whether the Applicant has been approved to receive THAF Program Funds.
 4. Denial of Application. If upon initial review, Tulalip Tribes determines that the Applicant is not eligible or the request is outside of this Procedure, or there are no longer any THAF Program Funds available, Tulalip Tribes 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 Tulalip Tribes concerning eligibility of assistance, the level of benefit approved, or the type of services available, can appeal that decision to the CEO.
 - b. No Appeal. If the reason for the denial of the Application is that there are no longer any THAF Program Funds remaining, such denial is not subject to appeal.
 5. Payment Process. Once application is approved, it will be processed in accordance with established Tulalip Tribes Financial System guidelines.
 - a. Approval or denial letters will be sent to all applicants. These will be used for payment authorization for finance.
 - b. All checks will be mailed within 14 days of approval of the application. All checks will be mailed.
 - c. All vendors who have not done business with The Tulalip Tribes must complete a W-9.

Methods for Targeting HAF Funding

THAF targets applicants by providing additional points during the review process for:

- Homeowners having incomes equal to or less than 100 percent of the area median income
- Socially disadvantaged individuals.
- Homeowners who have Federal Housing Administration (FHA), Department of Veterans Affairs (VA), or U.S. Department of Agriculture (USDA) mortgages and homeowners who have mortgages made with the proceeds of mortgage revenue bonds or other mortgage programs that target low- and moderate-income borrowers.

The THAF anticipates providing a significant amount of funds towards Tulalip Tribes members, members of other tribes, and other socially disadvantaged individuals. Therefore, efforts for targeting assistance is limited for the THAF.

Best Practices and Coordination with Other HAF participants:

As stated above, Tulalip Housing has administered a successful mortgage assistance program and a successful rental and voucher assistance program, both through HUD. The CEO office is currently providing rental assistance through the Tulalip Emergency Rental Assistance Program (TERAP) with funds from the Department of Treasury. Tulalip will utilize the successful models from previous programs to establish the THAF.

If the needs arises, THAF staff will coordinate with other Tribal HAF programs with similar HAF targeting strategies and goals and/or engage with mortgage servicers.

Performance Goals and Reporting

The THAF goal is to prevent homeowner mortgage delinquencies, homeowner mortgage defaults, homeowner mortgage foreclosures, homeowner loss of utilities or home energy services, and displacement of homeowners experiencing financial hardship.

As a condition of receiving funding under the HAF, Tulalip shall collect pertinent information on those they serve in any aspect of the program, including but not limited to information regarding the following data points:

- Mortgage types.
- Reason for delinquency in addition to COVID-19, if any.
- Level of delinquency.
- Household type and size.
- Household income.
- Racial and ethnic demographics.

This information will be used to measure the THAF’s effectiveness in meeting the stated program goals of reducing mortgage delinquency among targeted populations.

Readiness

Staffing and Systems: Staffing for the THAF program will utilize the current Tulalip Emergency Rental Assistance Program system to maintain effective program delivery, compliance, and reporting, in a manner consistent with applicable program requirements and guidance using the programs described in the plan.

Contracts & Partnerships: THAF staff will coordinate with other Tribal HAF programs with similar HAF targeting strategies and goals and/or engage with mortgage servicers as the staff sees fit to maintain the THAF program delivery, compliance, and reporting.

Existing and Pilot Programs: THAF received \$226,597 as the initial 10% payment. Tulalip has elected not to start the program until our HAF plan is approved and the remaining 90% of funds are received.

Budget

The budget for 100% of the funding, \$2,265,971.00 is as follows:

Tulalip Homeowner Assistance Fund Budget	
Mortgage Payment Assistance	\$780,000
Homeowners' Utilities	\$250,000
Homeowners' Internet Services	\$50,000
Homeowners' Insurance, Flood Insurance, and Mortgage Insurance	\$75,000
Homeowners' Association Fees or Liens, Condominium Association Fees, or Common Charges	\$50,000
Down Payment Assistance Loans provided by Nonprofit or Government Entities	\$100,000
Payment Assistance for Delinquent Property Taxes to prevent Homeowner Tax Foreclosures	\$50,000
Measurements to prevent homeowner displacement, such as home repairs to maintain the habitability of a home or assistance to enable households to receive clear title to their properties	\$457,776
Counseling or Education	\$113,299
Planning, Community Engagement, Needs Assessment, and Administrative Expenses	\$339,896
THAF Budget Total	\$2,265,971

Conclusion

THAF has demonstrated a need in the Tulalip community for homeowner’s assistance funds. Tulalip’s staff and financial capacity is sufficient for administering the Homeowner Assistance Funds.