



YAVAPAI-APACHE NATION

COVID-19 EMERGENCY RENTAL ASSISTANCE PROGRAM POLICY

DEPARTMENT OF SOCIAL SERVICES

Approved on February 18, 2021 by Resolution No. 27-21, as amended on October 21, 2021 by Resolution No. 207-21.

Section I. Introduction

The purpose of the Yavapai-Apache Nation COVID-19 Emergency Rental Assistance Program (“Program”) is to assist Tribal Member renter households on and off the Yavapai-Apache Nation Reservation that are unable to pay rent and utilities due to the COVID-19 pandemic. The Program is funded with federal funding pursuant to Section 501 of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020) (“Act”), as amended. The Program is administered by the Department of Social Services (“DSS”) in accordance with this Policy, as supplemented by the rules and guidance of the U.S. Department of Treasury.

Payments for rental, utility, and other housing expenses assistance under this Program are not regarded as income and shall not be regarded as a resource for purposes of determining eligibility for federal benefits, as stated in Section 501(j) of the Act.

Section II. Definitions

1. Annual income means the income for a calendar year, as defined by 24 CFR §5.609.
2. Area median income means the median income for the area in which the household is located, as determined by the U.S. Department of Housing and Urban Development (“HUD”).
3. Head of household means the Tribal Member, or the member of the household of a Tribal member, who rents a residential dwelling as shown on a lease or rental agreement.
4. Household means of all persons using the dwelling as their primary place of residence.
5. Household income means either the household’s annual income for calendar year 2020 or the household’s monthly income at the time of application. For household income determined using the latter method, income eligibility must be redetermined every three (3) months.
6. Monthly income means the gross income for a given month; and for purposes of this Policy, is determined based on average monthly income for the two months prior to the submission of the application for assistance.
7. Tribal Member means an enrolled member of the Yavapai-Apache Nation.

Section III. Eligibility

- A. A household is eligible for assistance if it is a renter household (including a “rent-to-own” household) and meets the following criteria:
 1. One or more household members has:
 - a. qualified for unemployment, or
 - b. experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to the COVID-19 pandemic, which the applicant must attest in writing; and
 2. One or more household members can demonstrate a risk of experiencing homelessness or household instability, which may include –

- a. rental arrears as evidenced by a delinquency or eviction notice, or
 - b. past due utility bills; or
 - c. unsafe or unhealthy living conditions, or
 - d. other evidence of such risk; and
3. The household has a household income that is not more than 80% of the area median income.
- B. Priorities – the following households are prioritized for assistance:
1. Households under 50% of the area median income; and
 2. Households that include a household member who has been unemployed for the 90-day period preceding the application for assistance.

Section IV. Available Assistance

A. Rental Assistance

1. No more than twelve (12) months total of rental assistance may be provided, with prospective rent payments limited to three (3) months per application. Notwithstanding the above, an additional three (3) months of rental assistance may be provided if necessary to ensure housing stability for a household. An applicant may reapply for rental assistance as long as the total rental assistance does not exceed fifteen (15) months.
2. Assistance must be provided to reduce a household's rental arrears before the household may receive assistance for prospective rent payments.
3. The amount of the assistance is based on the monthly rental amount indicated on the lease or rental agreement, or the amount indicated on the delinquency or eviction notice, subject to the restrictions listed below.

B. Utility Assistance

1. No more than twelve (12) months total of utility assistance may be provided. Notwithstanding the above, an additional three (3) months of utility assistance may be provided if necessary to ensure housing stability for a household. An applicant may reapply for utility assistance as long as the total utility assistance does not exceed fifteen (15) months.
2. The amount of the assistance is based on the amount indicated on the utility bill, subject to the restrictions listed below.
3. Utilities include electricity, gas, water and sewer, trash removal and energy costs such as fuel oil. Utilities that are covered by the landlord within rent are treated as rent.

C. Other Housing Expenses Assistance

Assistance may be provided for the following other expenses related to housing incurred due, directly or indirectly, to the COVID-19 pandemic:

1. Relocation expenses, such as rental security deposits, application fees or screening fees.
2. Reasonable accrued late fees (if not included in rental or utility arrears).
3. Internet service provided to a rental unit, so long as the household provides documentation or self-attestation that the service is for the purpose of engaging in distance learning, telework, and telemedicine or for obtaining government services. Payments can be used for payment of arrears subject to the restrictions below, for installation, and for up to three (3) months prospective monthly payments.
4. Payment to a hotel/motel if the household is staying at a hotel/motel as a means of avoiding homelessness while in the process of relocating to a residence, provided that: (1) the household has been temporarily or permanently displaced from its primary residence or does not have a permanent residence; (2) the total hotel/motel stay does not exceed ninety (90) days, unless specific circumstances warrant additional time as determined by DSS; and (3) documentation of the hotel or motel stay is provided. Expenses incidental to the charge for the room are not included.

D. Restrictions

1. Assistance may only be provided for arrears that have accrued since March 13, 2020, the date of the federal emergency declaration.
2. The assistance must not be applied to costs that have been or will be reimbursed under any other assistance provided to the household.
3. Assistance is available through September 30, 2022, or until the funding is depleted, whichever occurs first.

Section V. Application Process

- A. The applicant must be the head of household or a landlord on behalf of the head of household. If the applicant is the landlord on behalf of the head of household, the following requirements apply:
 1. The landlord must obtain the signature of the head of household on the application (which may be electronic).
 2. The landlord must provide documentation of the application to the head of household.
 3. Any payment received by landlord must be used to satisfy the household's rental obligations.
- B. Prior to receiving any assistance, applicants must complete an application and provide the following documents:
 1. Copy of Tribal Enrollment Card;
 2. Copy of entire lease or rental agreement confirming applicant is head of household and monthly rental amount;
 3. Documentation verifying that one or more members of the household qualified for unemployment, experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to the

COVID-19 pandemic, such as documentation of unemployment benefits, furlough, layoff, reduced hours, or increased utility costs or other expenses. Alternatively, if the applicant attests that documentation is not reasonably available, the applicant-certified information provided in the application will be accepted without further verification as long as it specifies a financial hardship due, directly or indirectly to the COVID-19 pandemic;

4. Documentation verifying risk of experiencing homelessness or household instability such as a delinquency or eviction notice, past due utility bill, or other evidence of risk. Alternatively, if the applicant attests that documentation is not reasonably available, the applicant-certified information provided in the application will be accepted without further verification as long as it specifies such a risk;
5. Original and complete utility bill, which must be in the name of the head of household (if applicant is requesting utility assistance or to demonstrate a risk of experiencing homelessness or household instability);
6. Documentation verifying household income, such as copies of paycheck stubs, W-2s or other wage statements, tax filings, bank statements demonstrating regular income, an attestation from an employer, or a determination letter from a government agency (e.g. YANTH, DSS, AZDES) that verified the applicant's household income to be at or below 80 percent of the area median income in connection with another government assistance program, provided that the determination for such program was made on or after January 1, 2020. Alternatively, if the applicant attests that documentation is not reasonably available, the applicant-certified information provided in the application will be accepted without further verification as long as it specifies a household income that meets the income eligibility requirement;
7. Original and complete internet bill or documentation of other housing expenses (if applicant is requesting other housing expenses assistance)
8. Any other documents to support the information in the application; and
9. W-9 from the landlord, utility company, and/or provider of other housing expenses.

C. Payment

1. If the application is approved, DSS will pay the landlord, the utility company, or the provider of other housing expenses directly. DSS must provide documentation of payment to the head of household.
2. If the landlord, the utility company, or the provider of other housing expenses refuses to accept direct payment from DSS after reasonable efforts to obtain their cooperation, assistance may be paid directly to the head of household. The head of household must use the assistance to satisfy the household's rental, utility, or other housing expenses obligations. Efforts by DSS to obtain the cooperation of landlords, utility providers, and providers of other housing expenses must be documented.