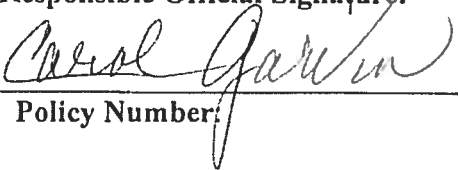




HO-CHUNK NATION

Subject: Down Payment Assistance	Title: Down Payment Assistance Program Policy
Scope: Department of Housing Home Ownership Program and Fiscal Division staff.	Effective Date: 05/17/17
Issuing Authority: Executive Director Department of Personnel	Responsible Official Signature: 
Legislative Authority: Ho-Chunk Nation (HCN) Employment Relations Act 6 HCC § 5, HCN Housing for the General Welfare of Veterans, Elders and Non-Elders Act 8 HCC § 5, & HCN Legislature- Resolution 08/31/95.	Policy Number: DOH-HOP-05-17-17-001

1.0 Policy Statement:

- 1.1 Each department, division, or unit of the Nation, with the prior approval and consultation of the Executive Director of the Department of Personnel, may develop, implement, and revise as necessary internal procedures, operating rules and policies pertaining to the unique operational requirements of the work unit for efficient and effective performance (6 HCC § 5).
- 1.2 The Ho-Chunk Nation Department of Housing shall provide centralized leadership to develop equal housing opportunities using funds allocated for this purpose more strategically and efficiently, improving the use of socio-economic resources, and by creating unified goals and objectives stimulating durable housing options which benefit Ho-Chunk members by improving access to safe and affordable housing (8 HCC § 5).
- 1.3 The Ho-Chunk Nation Legislature recognizes the need to include Category C, down payment assistance, as a part of the FY 1995 funding, this need being ascertained by the Ho-Chunk Housing Sub-Committee (HCN Legislature Res. 08/31/95-A).

2.0 Purpose:

- 2.1 The Down Payment Assistance Program (DPA) assists enrolled Ho-Chunk Nation members to obtain financial resources with lenders outside the Ho-Chunk Nation by providing grant funding for down payment or closing costs for new home construction or existing home purchase.

3.0 Rational and Background:

- 3.1 Overcrowding, homelessness, home affordability, and access to financing continue to be critical problems faced by HCN Members.



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3.2 There is a need to clearly outline the process for disbursing payments for Down Payment Assistance and/or closing costs.

4.0 Policy:

4.1 This policy will address how the Down Payment Assistance (DPA) will be implemented according to the laws of the Nation.

4.2 This policy directs Housing Staff on procedures for DPA that has been approved, contingent on available funds.

4.3 This policy will be enforced by the Department of Housing Home Ownership Program and Fiscal Division staff.

4.4 Program Eligibility and Requirements

4.4.1 Applicants must be an enrolled member with the Ho-Chunk Nation and provide proof of enrollment, 18 years or older, and legally competent.

4.4.2 No Applicant will receive benefits under this program more than once.

4.4.3 New Construction and Existing Purchase are eligible properties.

4.4.4 The property must be a single-family home and be legally zoned for residential use.

4.4.5 The property cannot be on land identified by F.E.M.A. as having special flood hazards.

4.4.6 The property cannot be on another Tribe's land.

4.4.7 The property must meet housing quality standards.

4.4.7.1 A building inspection report must be submitted with the application.

4.4.7.2 Building inspection report needs to be completed by a State certified building inspector, (if available).

4.5 Ineligible properties include but are not limited to:

4.5.1 Vacant land

4.5.2 Fixer-uppers

4.5.3 Rental or commercial properties

4.5.4 Mobile/Manufactured homes (Modular Homes are allowed)

4.5.5 Travel trailers

4.5.6 Multi-family apartment buildings

4.6 Rural properties on private septic and well systems must be inspected by a licensed inspector to insure all components of the system are in proper working order.

4.6.1 Repairs are the seller's responsibility and must be repaired by a licensed professional.

4.7 This Down Payment Assistance cannot provide assistance for the purchase of a Ho-Chunk Nation Home Ownership Program or the Ho-Chunk Nation Veteran Home Ownership Program property.



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- 4.8 All documents should be submitted at least four weeks prior to the scheduled closing.
- 4.9 Down Payment Assistance funds cannot exceed \$10,000.00, and must be applied toward down payment of the construction loan or the closing costs on the mortgage loan.
 - 4.9.1 If funds remain after applied to closing cost, funds shall be applied to the principal balance of the mortgage loan.
- 4.10 There will not be any reimbursement or distribution of funds if closing is prior to approval by the Home Ownership Program Division review.
- 4.11 There will be a 5 year waiting period to be eligible for the Existing Mortgage Assistance; as stated in the grant/stipulation letter.

5.0 Procedure:

- 5.1 Interested applicants can request a copy of the Down Payment Assistance Policy which includes the Down Payment Assistance Application and program eligibility requirements. A copy of the Home Repair Loan Policy can be obtained through the Ho-Chunk Nation Website www.Ho-ChunkNation.com or through the Department of Housing.
- 5.2 Completed applications with required documentation can be delivered personally, mailed through the U.S. Postal Service, emailed electronically, or faxed to the Department of Housing.
- 5.3 Applications received by the Department of Housing will be date stamped forwarded to the Residential Service Advocate (RSA).
- 5.2 RSA starts DPA file with DPA checklist.
- 5.5 RSA reviews application for completeness.
 - 5.5.1 Verification of enrollment by receiving copy of tribal ID.
 - 5.5.2 Verification of One Time Benefit.
- 5.6 RSA contacts financial institution for Loan Estimate, Inspection, and obtains financial institution's name, address, phone number, and name of loan officer.
- 5.7 RSA forwards Building Inspection to Residential Construction Supervisor (RCS) to review to ensure the property is clear of all safety, health, and code violations. Any other violation identified by the RCS via Building Inspection will be identified to the Applicant by the RSA in the Ho-Chunk Nation Inspection Requirement Letter.
 - 5.7.1 RSA will send the Applicant the Ho-Chunk Nation Inspection Requirement Letter, which makes the Applicant aware of deficiencies, if there are any.
- 5.8 RSA will forward all documentation to the Home Ownership Program Manager (HOPM) for review.
- 5.9 HOPM will present to Executive Director (ED) for approval or denial.
- 5.10 HOPM will inform RSA of Executive Directors decision.
 - 5.10.1 Approval – RSA will prepare Bank Approval Letter for Lender and Client Stipulation Agreement for client's signature.



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- 5.10.2 RSA receives signed Client Stipulation Agreement, and processes the Draw Voucher Request and obtain Wire Instructions from Title Company or appropriate third-party closing agent.
 - 5.10.3 Denial – HOPM will send letter notifying applicant and reason for denial.
 - 5.11 RSA will give Draw Voucher Request and Wire Instructions to the Fiscal Division.
 - 5.11.1 Junior Accountant will process the wire request through the current financial software system.
 - 5.11.2 Junior Accountant will forward wire confirmation to the RSA.
- 6.0** Attachment/Forms:
- 6.1 Employee Relations Act 6 HCC § 5 4 b. (2), page 4
 - 6.2 HCN Housing for the General Welfare of Veterans, Elders and Non-Elders Act 8 HCC § 5, pages 1-3.
 - 6.3 HCN Legislature Res. 08/31/95-A
 - 6.4 Housing Standing Sub Committee of the Ho-Chunk Nation Legislature Regular Meeting, 05/22/2014, page 2
 - 6.5 Down Payment Application
- 7.0** Definitions:
- 7.1 **Benefit:** Payment made available in accordance with the program. (See definition of one-time benefit below.)
 - 7.2 **Closing:** The act of transferring ownership of a property from seller to buyer.
 - 7.3 **Closing Cost:** Various fees and expenses payable by the buyer at the time of closing.
 - 7.4 **Commercial Property:** Property designed for use by retail, wholesale, office, hotel or service users.
 - 7.5 **Debt:** An item that is charged to a party, who has obligation to pay for item.
 - 7.6 **Down Payment:** The amount one pays for property in addition to the debt incurred.
 - 7.7 **Draw Voucher:** A document giving proof terms of agreement are met to make payment.
 - 7.8 **Existing Purchase:** Purchase of an existing house on the real estate market.
 - 7.9 **FEMA:** Federal Emergency Management Agency is a National Flood Insurance Program.
 - 7.10 **Fixer Upper:** A property not meeting safety codes and needs major repairs.
 - 7.11 **Grant Stipulation Letter:** Letter outlining the stipulations of the grant award.
 - 7.12 **Housing Quality Standard:** A standard for a house to meet safety and health codes



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- 7.13 **Legally Competent:** Means a member determined to be, or recognized, incapable of prudently managing such member's interest in Per-capita payments which are or become due to such members.
- 7.14 **Manufactured Home:** Formerly known as "mobile homes". Manufactured homes are homes built in a factory, after 1976, which are governed by federal building codes. (not eligible for this program).
- 7.15 **Mobile Home:** Homes built in a factory before 1976 that are governed by federal building codes. (not eligible for this program)..
- 7.16 **Modular Home:** Homes built in a production facility and are governed by local and state building codes. (eligible for this program).
- 7.17 **Mortgage:** A legal document in the form of a not that pledges a property to the lender as security for payment of a debt.
- 7.18 **New Construction:** Building a new house on a property.
- 7.19 **One Time Benefit:** An individual shall only be eligible to utilize this benefit once in a lifetime.
- 7.20 **Principal:** The amount owed on a debt that has been partially amortized/reduced.
- 7.21 **Rental:** A property that an individual does not own and leases from owner.
- 7.22 **Vacant Land:** A property that does not have water or septic.
- 7.23 **Wire:** Telegraph to send payment for purchase.
- 7.24 **Zoned:** An area for specific use, subject to certain restrictions or conditions.

8.0 Policy History

(Date) Approved by the Executive Director of Personnel



HO-CHUNK NATION
DEPARTMENT OF HOUSING

Down Payment Assistance Application

All questions on the application must be answered. **Incomplete applications will be returned.**

APPLICATION INFORMATION					
Applicant's Name (include Jr. or Sr. if applicable)			Co-Applicant's Name (include Jr. or Sr. if applicable)		
Tribal Enrollment #	Home Phone	Age	Tribal Enrollment #	Home Phone	Age
Present Address (street, city, state, ZIP)			Present Address (street, city, state, Zip)		
Date of Birth	Social Security Number		Date of Birth	Social Security Number	

PROPERTY INFORMATION	
Street Address of New Property: _____ City: _____ State: _____ Zip: _____	
Type of Home: <input type="checkbox"/> Single-family home <input type="checkbox"/> Duplex <input type="checkbox"/> Condo/Townhouse <input type="checkbox"/> Modular	
Is the home you are purchasing or building on private water or sewer? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Source of Heat in Home: <input type="checkbox"/> Gas <input type="checkbox"/> LP <input type="checkbox"/> Electric <input type="checkbox"/> Wood <input type="checkbox"/> Oil <input type="checkbox"/> Other _____ Age of Property: _____	

FINANCIAL INSTITUTION/INSURANCE INFORMATION	
Financial Institution/Lender Name: _____	
Street Address: _____ City: _____ State: _____ Zip: _____	
Contact Person: _____ Phone: _____ Ext. _____	

I/We certify that the information provided in this application is true and correct as of the date set forth opposite my/our signature(s) on this application and acknowledge my/our understanding that any intentional or negligent misrepresentation(s) of the information contained within this application may result in a penalty of being ineligible for the Home Repair Loan and a denial of the processing of the application and any future applications for this program.

Applicant Signature	Date	Co-Applicant Signature	Date
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