





HO-CHUNK NATION

Subject: Down Payment Assistance	Title: Down Payment Assistance Program Policy
Scope: Department of Housing staff	Effective Date July 1, 2018
Issuing Authority: Executive Director Department of Housing	Responsible Issuing Authority Signature: 
Approval Authority: Executive Director Department of Personnel	Responsible Approval Authority Signature: 
Legislative Authority: Ho-Chunk Nation Employment Relations Act 6 HCC § 5 4 b. (2) 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-05-17-17-002

1.0 Policy Statement:

- 1.1 This policy will establish a process for assisting enrolled Ho-Chunk Nation members with financing towards their mortgage from an outside lender by:
 - 1.1.1 Determine eligibility and selection criteria for applicants seeking Down Payment Assistance.
 - 1.1.2 Establish policy and procedures for the Department of Housing Down Payment Assistance Program
 - 1.1.3 Applicant must agree to this once in a lifetime utilization of this program. If a grant is approved and utilized, the applicant's name will be withdrawn from the Ho-Chunk Nation's Home Ownership Program, Veterans Home Ownership Program, or Existing Mortgage Assistance waiting lists and will not be eligible to receive any additional funding from these programs.
- 1.2 Any current/previous recipients of the HOP, VHOP or EMA will not be eligible to use the Down Payment Assistance Program due to the utilization of the once in a lifetime benefit.
- 1.3 Prior recipients of the DPA grant are not eligible to have their grant amended to the \$50,000.00.

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.
- 2.2 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).



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3.0 Rational and Background:

3.1 The Down Payment Assistance Program will assist enrolled Ho-Chunk Nation members to access interest free funds for down payment and closing costs when seeking financial assistance with an outside lender of the Ho-Chunk Nation.

4.0 Policy:

4.1 Eligibility

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

4.1.2 Applicant must fill out a Down Payment Assistance Program application and agree to the terms of the program.

4.2 Down Payment Assistance funds cannot exceed \$50,000.00, and must be applied toward down payment of the construction loan or the closing costs on the mortgage loan.

4.2.1 If funds remain after applied to closing cost, funds shall be applied to the principal balance of the mortgage loan.

4.3 Down Payment Assistance must be used for new home construction or existing home purchase and meet the current state building codes. Homes on Ho-Chunk Nation trust land must meet HCN building codes; state building codes will be enforced in the absence of Ho-Chunk Nation building codes.

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

4.3.2 Any *new* manufactured home, as in not lived in, will be allowed.

4.3.3 Modular homes are allowed.

4.3.4 Property must be used as primary residence of DPA recipient.

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

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

4.6 A home inspection report must be submitted with the application.

4.6.1 Must meet minimum standards for safety, habitability and general condition.

4.7 Home inspection report needs to be completed by a State certified home inspector.

4.8 Ineligible properties include but are not limited to:

4.8.1 Vacant land

4.8.2 Rental or commercial properties

4.8.3 Pre-owned mobile/manufactured homes.

4.8.4 Travel trailers

4.8.5 Investment properties, such as multi-family apartment buildings.

4.9 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.

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

4.10 All documents should be submitted at least four weeks prior to the scheduled closing.



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- 4.11 There will not be any reimbursement or distribution of funds if closing is prior to approval by the Home Ownership Program Division review.
 - 4.12 Grant Terms:
 - 4.12.1 Grants shall be awarded on a first come, first served basis when completed EMA application and required documents are received, contingent on program funding.
 - 4.12.2 Grants shall not exceed the maximum amount of \$50,000.00.
 - 4.12.3 Applicant must agree to reside in the home as primary residence for a period up to five (5) years. If applicant resides in the home less than five (5) years the re-payment of the grant will be made according to 4.12.5.
 - 4.12.4 Repayment of DPA will be required if the Applicant defaults on their mortgage or forecloses on the home within five years.
 - 4.12.5 Each year the applicant resides in the home, \$10,000 of the grant is forgiven.
 - 4.12.6 Applicant must agree to place Ho-Chunk Nation as second lien holder for a period of five (5) years from date of closing.
 - 4.12.7 If the Applicant does not agree and/or meet this sections requirement, the Applicant will be considered ineligible to receive DPA.
- 5.0 Procedure:
- 5.1 Applications received by the Department of Housing will be date stamped on application and forwarded to the Home Ownership Division.
 - 5.2 The Home Ownership Division will verify application is complete and requesting documentation is submitted.
 - 5.3 The Home Ownership Division will forward completed applications to the Department of Housing review panel for approval.
 - 5.4 The panel will forward their recommendation for approval or denial to the Executive Director (ED) for final approval or denial.
 - 5.5 The Executive Director will forward approved files to the Home Ownership Division.
 - 5.5.1 The Home Ownership Division will prepare an approval or denial letter, irrevocable per capita agreement, and grant stipulation letter, and mail to Applicant.
 - 5.6 Upon receipt of the signed grant stipulation letter, irrevocable per cap agreement and financial institution information, the HOP Division will forward a request to the Fiscal Division for payment.
 - 5.7 The Fiscal Division will process payment to the Applicant's financial institution utilizing the Nation's current financial software.
- 6.0 Attachment/Forms:
- 6.1 Down Payment Application
 - 6.2 Authorization for Release of Information
- 7.0 Definitions:
- 7.1 **Closing Cost:** Various fees and expenses payable by the buyer at the time of closing.



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- 7.2 **Down Payment:** The amount one pays for property in addition to the debt incurred.
- 7.3 **Existing Purchase:** Purchase of an existing house on the real estate market.
- 7.4 **FEMA:** Federal Emergency Management Agency is a National Flood Insurance Program.
- 7.5 **Grant Stipulation Letter:** Letter outlining the stipulations of the grant award.
- 7.6 **Housing Quality Standard:** A standard for a house to meet safety and health codes
- 7.7 **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.
- 7.8 **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).
- 7.9 **Mobile Home:** Homes built in a factory before 1976 that are governed by federal building codes. (not eligible for this program)..
- 7.10 **Modular Home:** Homes built in a production facility and are governed by local and state building codes. (eligible for this program).
- 7.11 **Mortgage:** A legal document in the form of a not that pledges a property to the lender as security for payment of a debt.
- 7.12 **New Construction:** Building a new house on a property.
- 7.13 **One Time Benefit:** An individual shall only be eligible to utilize this benefit once in a lifetime.
- 7.14 **Principal:** The amount owed on a debt that has been partially amortized/reduced.
- 7.15 **Rental:** A property that an individual does not own and leases from owner.
- 7.16 **Vacant Land:** A property that does not have water or septic.
- 7.17 **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"/> Mobile (Must submit title, and land ownership or lot lease)			
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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HO-CHUNK NATION
DEPARTMENT OF HOUSING

AUTHORIZATION FOR THE RELEASE OF INFORMATION

I/we, the undersigned, with this, authorize the Ho-Chunk Nation Department of Housing and their agents to obtain any information, necessary, to process the Ho-Chunk Nation Department of Housing Assistance Application. This information may be obtained from the following sources, any of the Programs of the Ho-Chunk Nation, federal, state, and local governments and any of their agencies and representatives, law enforcement agencies, financial institutions, and current and prior landlords. This list is not all-inclusive and may include any additional agency, government, or private source, as deemed necessary by the Ho-Chunk Nation Department of Housing and/or their agents.

I/we, the undersigned, with this release the Ho-Chunk Nation Department of Housing and/or their agents any requested information from the following agencies: federal, state and local governments, law enforcement agencies, financial institutions, and current or prior landlords.

The information requested may be given by fax, telephone or in writing. This release is valid for fifteen (15) months from the date of the applicant's signature. This release is valid if photocopied and does not have to have an original signature.

I/we, have read the terms and conditions of the AUTHORIZATION FOR THE RELEASE OF INFORMATION and with this, give consent for the release of any requested information.

Printed Name of Applicant
Date

Signature of Applicant

S.S.N. of Applicant

Date of Birth of Applicant

Printed Name of Co-Applicant
Date

Signature of Co-Applicant

S.S.N. of Co-Applicant

Date of Birth of Co-Applicant