
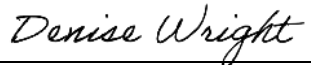




## HO-CHUNK NATION POLICY AND PROCEDURE

<b>Title: Existing Mortgage Assistance (EMA)</b>	<b>Subject: EMA Policy and Procedure</b>
<b>Scope:</b> Ho-Chunk Department of Housing Staff	<b>Effective Date:</b> 07/01/2024
<b>Issuing Authority:</b> Kaleena Emery Home Ownership Manager – Department of Housing	<b>Issuing Authority Signature:</b> 
<b>Approval Authority:</b> Denise Wright Executive Director - Department of Housing	<b>Approval Authority Signature:</b> 
<b>Legislative Authority:</b> Ho-Chunk Nation (HCN) Employment Relations Act (ERA) 6 HCC § 5 Ch. 1. 4. (b) 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. Advance notice of internal unit procedures and rules shall be provided to employees and must be posted in public places to serve as notice to all employees.	<b>Policy Number:</b> DOH-HOP-07-01-24-005

### 1.0 Policy Statement:

- 1.1 This policy will establish a process for assisting enrolled Ho-Chunk Nation (HCN) Members with financing towards their existing mortgage from an outside lender by:
  - 1.1.1 Determining eligibility and selection criteria for applicants seeking EMA.
  - 1.1.2 Establishing policy and procedures for the Department of Housing EMA Program.
- 1.2 This is a once in a lifetime benefit. If a grant is approved and utilized, the applicant's name will be withdrawn from the Ho-Chunk Nation's Home Ownership Program (HOP), Veterans Home Ownership Program (VHOP), or Down Payment Assistance Program (DPA)
- 1.3 Any current/previous recipients of the HOP, VHOP or DPA will not be eligible to use the Existing Mortgage Assistance Program due to the utilization of the once in a lifetime benefit.

### 2.0 Policy Purpose:

- 2.1 The purpose of this policy is to assist enrolled HCN Members by providing a grant of **up to** \$50,000 to assist with paying down or paying off mortgage loans in a shorter period of time.
- 2.2 This Policy will ensure the Nation's resources are used in a reasonable and prudent manner.



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### 3.0 Rationale and Background:

- 3.1 The EMA Program was initiated to increase the number of HCN homeowners able to be assisted through the Home Ownership Division and to support successful homeownership experiences for Tribal Members.

### 4.0 Policy

- 4.1 This is a once in a lifetime benefit. If a grant is approved and utilized, the recipient's name will be withdrawn from the Ho-Chunk Nation's Home Ownership Program (HOP), Veterans Home Ownership Program (VHOP), or Down Payment Assistance (DPA) waiting lists and will not be eligible to receive any additional funding from these programs.
- 4.2 The EMA Program provides a **maximum** grant of \$50,000.00 to eligible HCN members.
- 4.3 Applicant's request for assistance will not be reviewed until all required documents have been received, which is the applicant's responsibility.

### 5.0 Eligibility

- 5.1 Must be an enrolled Ho-Chunk Nation member and provide proof of Enrollment, 18 years of age or older, and legally competent. Veterans and Elders will be given priority.
- 5.2 Applicant must have no outstanding delinquencies or debts in bad standing with the Ho-Chunk Nation.
- 5.3 Applicants must submit a completed EMA Application with the following documentation:
  - 5.3.1 Signed Authorization for Release of Information.
  - 5.3.2 Proof of ownership (copy of warranty deed if on fee simple, land lease if on trust land/Ho-Chunk land).
  - 5.3.3 Six months mortgage loan history with current remaining balance
  - 5.3.4 Copy of current paid property taxes
  - 5.3.5 Financial institution's name, address, phone number, and loan officer's name.
  - 5.3.6 Proof of current homeowners insurance.
  - 5.3.7 Certificate of Completion for an approved Post Purchase Home Buyer Education class.
  - 5.3.8 DD214 if applicable.
  - 5.3.9 Mortgage must be held by a lender outside of the Ho-Chunk Nation, and must be the first and only mortgage attached to the property.
- 5.4 Applicant is ineligible if they or their spouse previously received EMA, DPA, or HOP.



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### 6.0 Grant Terms

- 6.1 The grant is strictly for the principal and interest of the applicant's existing mortgage.
- 6.2 Applicant must agree to place Ho-Chunk Nation as second lien holder for a period of five (5) years from date of award.
  - 6.2.1 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 repayment of the grant will be prorated with the amount of time left on the grant. Each year the applicant resides in the home, \$10,000 of the grant is forgiven.
  - 6.2.2 Repayment of EMA will be required if the Applicant defaults on their mortgage or if Lender forecloses on the home.
- 6.3 Applicant must sign a stipulation agreement confirming they understand this is a once in a lifetime benefit and utilization of this program. If a grant is approved and utilized, the applicant's name will be withdrawn from the Ho-Chunk Nation's Non-Elder, Elder, and Veterans waiting list (s) for the Home Ownership Program (HOP) and the Down Payment Assistance Program (DPA) and will not be eligible to receive any additional funding.
- 6.4 Mortgage payments **will not** be suspended at age fifty-five (55).
- 6.5 If Applicant has received Down Payment Assistance of \$10,000 or less through the HCN Department of Housing or Ho-Chunk Housing and Community Development Agency (HHCDA), they may be eligible for the EMA.
- 6.6 If applicant received \$50,000 through Down Payment Assistance then they are not eligible for EMA.
- 6.7 Applicant is responsible for any closing costs, appraisals, assessments, penalties and fees associated with restructuring their mortgage debt if the applicant chooses to refinance their loan.
- 6.8 Down Payment Assistance recipients who received a DPA grant of up to \$10,000.00 shall be eligible for the EMA grant of up to \$50,000.00 per the terms of the DPA program at the time they received the grant.
- 6.9 The grant amount is as maximum of \$50,000, subject to availability of funding, and cannot exceed the balance of your mortgage.
- 6.10 Receipt of the grant does not replace making your regular mortgage payments when paying down your existing mortgage. Please see 6.2.2 above.

### 7.0 Procedure

- 7.1 Applications can be obtained from Ho-ChunkNation.com or by contacting the Department of Housing.
- 7.2 When an application is received it will be date stamped, logged and reviewed for completeness (see section 5.3 above).
- 7.3 Home Ownership staff will forward complete applications to the Home Ownership Manager (HOM) for review.
- 7.4 HOM shall verify that Applicant meets all criteria, and has not previously received their once in lifetime benefit through any of the applicable programs.



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- 7.4.1 Once all documentation has been verified the applicant will be added to the appropriate EMA waitlist.
- 7.4.1.1 The Elder and Veteran applicants will be placed on the Elder/Veteran lists as they will receive preference per Resolution DOH-HOP-10-19-18D.
- 7.4.1.2 Non-Elder/Non-Veteran applicants will be placed on the Non-Elder/Non-Veteran waiting list.
- 7.4.1.3 If application is incomplete the applicant will be notified and placed on the incomplete list until required documentation has been received. See 4.3 above.
- 7.5 Home Ownership staff will send original application documentation to HCN Records Department to be stored digitally.
- 7.6 When funding is available Grants shall be awarded in each District and in chronological order. When less than full funding is available, Home Ownership Staff will attempt to spend down the available funds by awarding Tribal Members with remaining balances of less than \$50,000.00.
- 7.7 HOM will inform the Home Ownership staff to prepare letters to be sent to the selected recipients(s) requesting the following when funds are available:
- Updated verification of mortgage loan history for the prior six (6) months including estimated or actual payoff amount
  - Updated verification that property taxes are current
  - Updated verification of current home owners insurance policy
- 7.7.1 Funding is time-sensitive; Failure to respond promptly and with all necessary items may result in the opportunity being deferred and another recipient being selected.
- 7.8 HOM informs the Home Ownership staff to prepare EMA Review Sheet for the Department of Housing Executive Director (EDOH) to approve or deny the application.
- 7.8.1 Approval or denial of all applications will be determined by Eligibility Criteria established by the EMA program.
- 7.9 HOM will inform Home Ownership staff of ED's decision.
- 7.9.1 If approved, staff will prepare the Grant Approval Stipulation Letter and mail to applicant for signature, and send Grant Approval Letter to the Financial Institution.
- 7.9.1.1 If the Applicant does not agree and/or meet this section's requirement, the Applicant will be considered ineligible to receive EMA.
- 7.9.2 If denied, the HOD staff will prepare denial letter for HOM's signature and mail to Applicant.
- 7.10 HOM receives signed Grant Approval Stipulation Letter from Applicant.



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- 7.10.1 HOM will inform Home Ownership staff to obtain complete pay off instructions from the Financial Institution on their official letterhead to prepare Draw Request.
- 7.10.2 Home Ownership Department staff will get HOM signature on Draw Request.
- 7.10.3 HOM will deactivate applicant on HOP waiting list.
- 7.10.4 HOM will verify that the Ho-Chunk Nation has been added as the second lien holder until terms of the grant are met.
  - 7.10.4.1 HOM will provide stipulation letter to the financial institution stating that the HCN will be the lien holder for 5 years.
  - 7.10.4.2 This grant will be prorated over a period of 5 years, with ten thousand dollars being forgiven each year.
- 7.11 Home Ownership staff will give Draw Request with payment instructions to Junior Accountant (JA) for processing.
- 7.12 JA will process the payment through the current financial software and processes.
- 7.13 JA will forward payment confirmation from the Treasury Department to the Home Ownership Staff.
- 7.14 HOM performs final review and closes file.
  - 7.14.1 File will be transferred to Records for scanning, and storage per Records Transfer policy.

### 8.0 References:

- 5.1 Ho-Chunk Nation Employment Relations Act amended July 23, 2019  
<http://ntob-sharepoint:2000/gov/Personnel/Shared%20Documents/Forms/AllItems.aspx>

### 9.0 Definitions:

- 9.1 **Draw Request** – Processing document filled out by the proper individual to request a payment to be processed through the Financial Division.
- 9.2 **EMA** – Existing Mortgage Assistance.
- 9.3 **HOM** – Home Ownership Manager
- 9.4 **JA** – Junior Accountant

### 10.0 Policy History:

- 04/10/17: DOH –HOP-04-10-17-001 Approved by the Executive Director of Personnel
- 11/06/17: DOH –HOP-04-10-17-002 Approved by the Executive Director of Personnel
- 02/27/18: DOH –HOP-04-10-17-003 Approved by the Executive Director of Personnel
- 05/08/20: Issued by the Executive Director – Department of Housing
- 05/08/20: Approved by the Executive Director – Department of Personnel
- 07/01/24: Updated and Approved by the Executive Director - Department of Housing