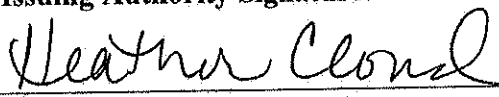





HO-CHUNK NATION POLICY

Subject: Down Payment Assistance	Title: Down Payment Assistance Program
Scope: Department of Housing staff	Effective Date: 02/01/22
Issuing Authority: Heather Cloud Executive Director - Department of Housing	Issuing Authority Signature: 
Approval Authority: Kimberly Lonetree Executive Director - Department of Personnel	Approval Authority Signature: 
Legislative Authority: Ho-Chunk Nation Employment Relations Act, 6 HCC § 5.4b. (2) HCN Housing for the General Welfare of Veterans, Elders and Non-Elders Act 8 HCC § 5, & HCN Legislature- Resolution 08/31/95, Not Deemed Lavish or Extravagant Resolution 11-09-21	Policy Number: DOH-DOH-POL-05-17-22-005

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 Determining eligibility and selection criteria for applicants seeking Down Payment Assistance.
 - 1.1.2 Establishing policy and procedures for the Department of Housing Down Payment Assistance Program.
 - 1.1.3 The 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 If a grant is approved and utilized, the applicant's name will be withdrawn from the Ho-Chunk Nation's Home Ownership Program (HOP), Elder Home Ownership Program (Elder HOP), Veterans Home Ownership Program Down Payment Assistance (VHOP), and Existing Mortgage Assistance (EMA) waiting lists and will not be eligible to receive any additional funding from these programs.
 - 1.1.4 Any current/previous recipients of the HOP, VHOP, Elder HOP, or EMA will not be eligible to use the Down Payment Assistance Program due to the utilization of the once-in-a-lifetime benefit.
 - 1.1.5 Prior recipients of the DPA grant are not eligible to have their grant amended to the \$50,000.00.
 - 1.1.6 All applicants' entire files will be transferred to Records Division for scanning and storage per Records Transfer policy.

2.0 Policy 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



HO-CHUNK NATION POLICY

providing grant funding for down payment or closing costs for new home construction or existing home purchase.

3.0 Rationale 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 Enrolled Ho-Chunk Nation members requesting assistance through the Down Payment Assistance program through the Ho-Chunk Nation Department of Housing must completely fill out a DPA Application and return it with the requested documents prior to being considered for assistance.

4.2 Guidelines:

4.2.1 Down Payment Assistance can be requested for new home construction or existing home purchase as long as it is within the guidelines of approved home types or locations of the home.

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

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

4.2.1.3 Modular homes are allowed.

4.2.1.4 Property must be used as primary residence of the DPA recipient.

4.2.1.5 Homes on Ho-Chunk Nation trust land must meet HCN building codes.

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

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

4.2.4 Ineligible properties include, but are not limited to:

4.2.4.1 Vacant land

4.2.4.2 Rental or commercial properties

4.2.4.3 Pre-owned mobile/manufactured homes

4.2.4.4 Travel trailers

4.2.4.5 Investment properties, such as multi-family apartment buildings

4.3 Eligibility:

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

4.3.2 The applicant must fill out and sign the Down Payment Assistance Program application. The following information must be submitted with the application in order to be considered for approval:

4.3.2.1 A photocopy of your Ho-Chunk Nation issued Tribal ID or CDIB.

4.3.2.2 A **Pre-Approval letter** from the financial institution (bank, Mortgage Company, or Credit Union) that you are working with for financing.



HO-CHUNK NATION POLICY

- 4.3.3 All applicants that have submitted a completed application will remain on the list.
- 4.3.4 Once an applicant is reached by the Home Ownership Staff (HOPS) through a courtesy phone call and a letter mailed through the US postal service stating that the applicant is being considered for the program, the applicant will have up to ten (10) business days to provide a preapproval letter to the HOPS.
- 4.3.4.1 If the applicant fails to provide a preapproval letter within ten (10) business days, the applicant's eligibility status will expire.
- 4.4 **Grant Terms:** Grants shall be awarded on a first come, first served basis when a completed DPA application and required documents are received, *contingent on program funding*.
- 4.4.1 An applicant who has been approved for funding will have three (3) months (90 days) to schedule and complete closing with their Financial Institution.
- 4.4.1.1 The applicant must notify the Department of Housing of the closing date and location.
- 4.4.1.2 An applicant who is unable to schedule a closing within ninety (90) days will not have funding reserved for them. Funding will be offered to the next applicant on the waiting list.
- 4.4.1.3 The applicant must sign a stipulation agreement prior to disbursement of any funds.
- 4.4.1.3.1 The applicant must agree that utilization of the program is a once-in-a-lifetime benefit and they will not be eligible for future assistance through the Down Payment Assistance, Existing Mortgage Assistance, Elder Home Ownership Program, Home Ownership Program, or Veterans Home Ownership Program through the Department of Housing.
- 4.4.1.3.2 If the applicant does not sign the Stipulation Agreement, the applicant will be considered ineligible to receive Down Payment Assistance and will be removed from the waiting and approval lists.
- 4.4.1.4 The PC/HOM will work with the applicant's Realtor, Lender, and Title Company to have a successful closing.
- 4.4.1.5 At the date of closing, the Title Company will provide the PC/HOM with a copy of all the closing documents.
- 4.4.1.6 A copy of the closing documents will be sent to Records to file in the applicant's file.
- 4.4.2 There will not be any reimbursement or distribution of funds if the home closing is prior to DPA grant approval through the Home Ownership Program.
- 4.4.3 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.



HO-CHUNK NATION POLICY

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

5.0 Attachment/Forms:

- 5.1 Down Payment Application
- 5.2 Authorization for Release of Information
- 5.3 Down Payment Assistance Stipulation Agreement

6.0 Definitions:

- 6.1 **Closing Cost:** Various fees and expenses payable by the buyer at the time of closing.
- 6.2 **Down Payment:** The amount one pays for property in addition to the debt incurred.
- 6.3 **Existing Purchase:** Purchase of an existing house on the real estate market.
- 6.4 **FEMA:** Federal Emergency Management Agency is a National Flood Insurance Program.
- 6.5 **Grant Stipulation Letter:** Letter outlining the stipulations of the grant award.
- 6.6 **HOM:** Home Ownership Manager
- 6.7 **HOMS:** Home Ownership Staff
- 6.8 **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, unless new/not lived in per 4.2.1.2).
- 6.9 **Mobile Home:** Homes built in a factory before 1976 that are governed by federal building codes (not eligible for this program).
- 6.10 **Modular Home:** Homes built in a production facility and governed by local and state building codes (eligible for this program).
- 6.11 **Mortgage:** A type of loan you can use to buy or refinance a home.
- 6.12 **New Construction:** Building a new house on a property.
- 6.13 **One-Time Benefit:** An individual shall only be eligible to utilize this benefit once-in-a-lifetime.
- 6.14 **Principal:** The amount owed on a debt that has been partially amortized/reduced.
- 6.15 **PC:** Project Coordinator
- 6.16 **Rental:** A property that an individual does not own and leases from the owner.
- 6.17 **Vacant Land:** A property that does not have water or septic.
- 6.18 **Zoned:** An area for specific use, subject to certain restrictions or conditions.

7.0 Policy History:

- 05/17/17: DOH-HOP-5-17-17-001 Approved by the Executive Director of Personnel
- 07/01/18: DOH-HOP-5-17-17-002 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
- 03/15/21: Revised by the Executive Director- Department of Housing
- 03/15/21: Approved by the Executive Director – Department of Personnel
- 01/12/22: Revised by the Executive Director- Department of Housing
- 01/27/22: Approved by the Executive Director – Department of Personnel



HO-CHUNK NATION LEGISLATURE
Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE
PRIORITY HOUSING FOR HO-CHUNK VETERANS AND THE SH OG LA
RESCISSION AND RESTATEMENT OF
RESOLUTIONS 11/07/95-D, 08/20/14-A AND 10-07-14K

RESOLUTION 10-09-18 D

- WHEREAS,** on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and
- WHEREAS,** Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and
- WHEREAS,** Article V, Section 2(k) of the Constitution grants the Legislature the power to acquire or purchase lands for the benefit of the Nation and its members; and
- WHEREAS,** Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; and

Executive Offices
W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

- WHEREAS,** Article V, Section 2(r) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions; and
- WHEREAS,** Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation; and
- WHEREAS,** Resolution 11/07/95-D was drafted by Dr. Helen Miner Miller recognizing that one of the primary concerns of the Ho-Chunk is the welfare of the SH OG LA and the desire to continue the journey of life with them. This in order, that the legacy of their wisdom and knowledge be passed on to the young in order to retain the tribal culture, traditions and Ho-Chunk existence. To demonstrate this it is proper for the Tribe to provide a safe and healthy environment for the Ho-Chunk SH OG LA by prioritizing and making immediate available housing programs for them; and
- WHEREAS,** Resolution 08-20-13A was adopted to recognize the need for housing for Veterans and to establish priority for Ho-Chunk Veteran housing in recognition of their service to the Nation; and
- WHEREAS,** Resolution 10-07-14K was adopted to extend priority housing for Ho-Chunk Veterans and the SH OG LA to renters; and
- WHEREAS,** the Legislature now wishes to establish that the priority for Ho-Chunk Veterans and the SH OG LA applies to housing programs for homeowners;

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby rescinds and restates Resolutions 11/07/95-D, 08-20-13-A and 10-07-14K and establishes priority for Ho-Chunk Veterans and the SH OG LA for housing programs for homeowners.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 10 constituting a quorum were present at a meeting duly called and convened and held that on the 9th day of October, 2018, adopted the foregoing resolution at said meeting by an affirmative vote of 6 members, 4 opposed, and 0 abstaining, pursuant to the Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation, approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.



 Andrea Estebo, Tribal Secretary

10.09.2018

 Date

10.09.18D



HO-CHUNK NATION LEGISLATURE
Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
DETERMINATION PURSUANT TO THE
GENERAL WELFARE EXCLUSION ORDINANCE THAT THE
HOME OWNERSHIP PROGRAM, DOWN PAYMENT ASSISTANCE PROGRAM
AND EXISTING MORTGAGE ASSISTANCE PROGRAM
ARE NOT DEEMED LAVISH AND EXTRAVAGANT**

RESOLUTION 11-09-21 A

- WHEREAS**, on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS**, the Ho-Chunk Nation ("Nation") is a federally recognized Indian tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS**, Preamble of the Ho-Chunk Nation Constitution ("Constitution") references perpetuating key elements of our tribal existence through the exercise of our "... inherent sovereignty, (in order to) ... sustain our culture, promote our traditions and perpetuate our existence. ..."; and
- WHEREAS**, Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") authorizes the Legislature to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS**, Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and
- WHEREAS**, Article V, Section 2(k) of the Constitution grants the Legislature the power to acquire or purchase lands for the benefit of the Nation and its members; and
- WHEREAS**, Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; and
- WHEREAS**, Article V, Section 2(r) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions; and

WHEREAS, the Legislature enacted the General Welfare Exclusion Ordinance, 4 HCC §17 on April 28, 2020; and

WHEREAS, the General Welfare Exclusion Ordinance provides that lavish and extravagant shall be determined by the Legislature in its sole discretion based on all facts and circumstances, taking into account needs unique to the Nation as well as the social purpose being served by the particular assistance at hand; and

WHEREAS, the November 5, 1995 Ho-Chunk Nation General Council Meeting approved the So Og La Resolution, which the Legislature approved its Resolution 7-11-95D in support; and

WHEREAS, the Legislature created and enacted the Housing for the General Welfare of Veterans, Elders and Non-Elders Act, 8 HCC §5 in 2004 and most recently amended on March 8, 2016; and

WHEREAS, the Legislature created the Veterans Home Ownership Program for the benefit of veteran tribal members in its Resolution 10-05-10G; and

WHEREAS, the Home Ownership Program and Benefit Housing Program for the General Welfare of Non-Elders and Elders Act indicates that Home Ownership Program Applicants are eligible for \$140,000.00 (which includes the \$125,000.00 loan, along with \$15,000.00 site development); and

WHEREAS, the Department of Housing offers the Down Payment Assistance Program and the Existing Mortgage Assistance Program to increase housing opportunities for enrolled Ho-Chunk Nation members through mortgage assistance in the amount of \$50,000.00; and

WHEREAS, in Wisconsin, in 2020, the median home price was \$198,550.00 according to the Wisconsin Realtors Association, and similarly in the United States, according to the U.S. Census Bureau in the 4th quarter of 2020, the median price was \$374,900.00; and

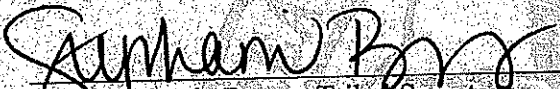
WHEREAS, the Ho-Chunk Nation has multiple approved home ownership programs, available to tribal members who satisfy the program guidelines (subject to budgetary restraints), which do not discriminate in favor of members of the tribal legislature are not provided as compensation for goods and/or services; and

WHEREAS, the Legislature wishes to make the determination that the Home Ownership Program, Down Payment Assistance Program, and Existing Mortgage Assistance Program (whether as loans or grants) are not deemed lavish or extravagant based upon facts and circumstances;

NOW THEREFORE BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby makes the determination that the Home Ownership Program, Down Payment Assistance Program, and Existing Mortgage Assistance Program (whether as loans or grants) are not deemed lavish or extravagant based upon facts and circumstances.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members**, of whom **11** constituting a quorum were present at a meeting duly called and convened and held on the **9th of November, 2021**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **10 members, 0 opposed, and 1 abstaining**, pursuant to the authority of Article V, Section 2(a) through (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.


Rep. Stephanie Begay, Tribal Secretary

11.09.21
Date



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 # (Last Four)	Phone Number	District	Tribal Enrollment# (Last Four)	Phone Number	District
Mailing Address (street, city, state, county, zip code)			Mailing Address (street, city, state, county, zip code)		
Date of Birth	Email Address		Date of Birth	Email Address	
Military Service Yes No	Elder (55 or older) Yes No		Military Service Yes No	Elder (55 or older) Yes No	

PROPERTY INFORMATION
Street Address of Property: _____ City: _____ State: _____ Zip: _____ County of Residence Property is located: _____

Required Documents
Please attach the following documentation with your application: Incomplete applications will not be considered. 1. Release of Information 2. Tribal ID

Applicants Signature: _____ Date: _____



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



HO-CHUNK NATION
DEPARTMENT OF HOUSING
Down Payment Assistance Stipulation Agreement

I, _____ understand that I have been tentatively approved for Down Payment Assistance (DPA) grant of \$50,000.00 pending receipt of this stipulation agreement.

There are two (2) stipulations to this Down Payment Assistance (DPA) grant, I will initial in front of each stipulation verifying I have read and understand each stipulation.

_____ 1. I agree to this Once in a Lifetime Benefit and my name will be withdrawn from the Ho-Chunk Nation's Home Ownership Program, Veterans Home Ownership Program, Elders Home Ownership Program or Existing Mortgage Assistance Program waiting lists and I will not be eligible to receive any additional funding from these programs.

_____ 2. I understand I am responsible for all repairs and regular maintenance on my home and taxes and insurance on the property if applicable.

Please sign below and return the original to the Housing Department. (You may also send via fax to 608-374-1233 or email to: housinghop@ho-chunk.com and *mail the original*).

I agree to the two (2) stipulations above:

Ho-Chunk Nation Member Name Print

Date

Ho-Chunk Nation Member Signature Sign

Date

Home Ownership Program Manager Print

Date

Home Ownership Program Manager Sign

Date