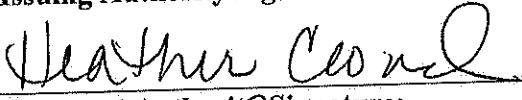





HO-CHUNK NATION POLICY & PROCEDURE

Subject: Existing Mortgage Refinance	Title: Existing Mortgage Assistance (EMA) 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: Employment Relations Act of 2004, 6 HCC § 5.4a, Sh OG La Resolution 10-09-18D, Not Deemed Lavish and Extravagant Resolution 11-09-21 A	Policy Number: DOH-DOH-POL-05-17-17-005

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 Existing Mortgage Assistance (EMA).
 - 1.1.2 Establishing policy and procedures for the Department of Housing Existing Mortgage Assistance Program.
 - 1.1.3 Ensuring this is 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 If a grant is approved and utilized, the applicant's name will be withdrawn from the Ho-Chunk Nation's Home Ownership Program (HOP), Veterans Home Ownership Program (VHOP), Elder Home Ownership Program (Elder HOP), and/or Down Payment Assistance (DMA) waiting lists, and will not be eligible to receive any additional funding from these programs.
 - 1.1.4 All applicants' entire files will be transferred to the Records Division for scanning and storage per Records Transfer policy.
 - 1.1.5 This policy replaces the former Existing Mortgage Assistance (EMA) Program Policy DOH-DOH-POL-05-17-17-004.

2.0 Purpose:

- 2.1 The purpose of this policy is to assist enrolled Ho-Chunk Nation members by providing a grant to pay off mortgage loans in a shorter period of time and/or converting to a fixed rate.

3.0 Rationale and Background:

- 3.1 The EMA Pilot Program was initiated on 07/24/2014 to increase housing opportunities for enrolled Ho-Chunk Nation members to live in adequate homes, and to create stable neighborhoods and communities by paying down their first mortgage loan.



HO-CHUNK NATION POLICY & PROCEDURE

- 3.1.1 This policy will ensure the Nation's resources are used in a reasonable and prudent manner.

4.0 Policy:

4.1 Eligibility

- 4.1.1 Must be an enrolled Ho-Chunk member and provide proof of enrollment, be at least 18 years of age or older, and legally competent.
- 4.1.2 Veterans and elders will be given priority.
- 4.1.3 Applicants must submit a completed EMA Application with the following documentation:
- 4.1.3.1 Signed Authorization for Release of Information
 - 4.1.3.2 Certificate of homeowners insurance
 - 4.1.3.3 Proof of ownership (copy of warranty deed if on fee simple, land lease if on trust land/Ho-Chunk land)
 - 4.1.3.4 Loan pay off statement (needed at the time of selection for EMA)
 - 4.1.3.5 Six months mortgage loan history (Needed at the time of selection for EMA)
 - 4.1.3.6 Copy of current paid property taxes (Needed at the time of selection for EMA)
 - 4.1.3.7 Financial institution's name, address, phone number, and loan officer's name (Needed at the time of selection for EMA)
 - 4.1.3.8 DD214 if applicable
- 4.1.4 Mortgage loan must be with a lender outside of the Ho-Chunk Nation and only applies to the first mortgage.
- 4.1.5 The grant is strictly for the applicant's principal and interest only.
- 4.1.6 The applicant must have no outstanding delinquencies or debts in bad standing with the Ho-Chunk Nation.
- 4.1.7 The applicant's request for assistance will not be reviewed until all required documents have been received, which is the applicant's responsibility.
- 4.1.8 The applicant must agree 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.
- 4.1.8.1 All applicants and spouses must not have utilized another once-in-a-lifetime benefit through EMA, DPA, or HOP.
- 4.1.9 Mortgage payments will not be suspended at age fifty-five (55).
- 4.1.10 If the applicant has received Down Payment Assistance of \$10,000.00 or less through the Ho-Chunk Nation Department of Housing or Ho-Chunk Housing and Community Development Agency, they will remain eligible for the EMA.
- 4.1.11 If the applicant received \$50,000 through Down Payment Assistance, then they are ineligible for EMA.



HO-CHUNK NATION POLICY & PROCEDURE

4.2 Grant Terms:

- 4.2.1 Grants shall be awarded on a first come, first served basis when a completed EMA application and required documents are received, contingent on program funding.
- 4.2.2 Grants shall not exceed the maximum amount of \$50,000.00.
- 4.2.3 The applicant is responsible for any closing costs, appraisals, assessments, penalties, and fees associated with restructuring their mortgage debt if the applicant chooses to refinance the loan.
- 4.2.4 If the applicant does not agree and/or meet this section's requirement, the applicant will be considered ineligible to receive EMA.
- 4.2.5 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.

5.0 Procedure:

- 5.1 Applications can be obtained from the Ho-Chunk Nation website: www.Ho-ChunkNation.com, or from the Department of Housing.
- 5.2 The application received by Housing staff should be stamped date of receipt.
- 5.3 Home Ownership Office (HOO) staff shall log all EMA applications, review applications for completeness, and verify receipt of the following documentation:
 - 5.3.1 Proof of Ho-Chunk Nation enrollment (Tribal I.D or CDIB)
 - 5.3.2 Verification that a copy of warranty deed or land lease is received
 - 5.3.3 Verification that property taxes are current
 - 5.3.4 Verification that a copy of homeowner's insurance is received
 - 5.3.5 Verification of mortgage loan history for the preceding six (6) months, as well as proof of mortgage loan in good standing
 - 5.3.6 Verification of loan payoff statement
 - 5.3.6.1 The Elder and Veteran applicants will be placed on the Elder/Veteran list, as they will receive preference per Resolution DOH-HOP-10-19-18D.
 - 5.3.6.2 Non-Elder/Non-Veteran applicants will be placed on the Non-Elder/Non-Veteran waiting list.
 - 5.3.6.3 If the application is incomplete, the applicant will be placed on the incomplete list until required documentation has been received.
- 5.4 Home Ownership staff will forward all documentation to the Home Ownership Manager (HOM) for review.
 - 5.4.1 Home Ownership staff will send original application documentation to the HCN Records Department to be stored digitally.
- 5.5 HOM shall verify that the applicant meets all criteria and has not received their once-in-a-lifetime benefit by reviewing any and all HOP programs that may apply.
- 5.6 HOM will inform the HOO staff to prepare letters to be sent to the selected applicant(s) requesting the following when funds are available:
 - 5.6.1 Financial institution's name, address, phone number, and loan officer's name
 - 5.6.2 Verification of mortgage loan history for the prior six (6) months



HO-CHUNK NATION POLICY & PROCEDURE

- 5.6.3 Verification that property taxes are current
 - 5.6.4 Loan pay off statement
 - 5.6.5 Current home owners insurance policy
 - 5.7 HOM informs the Home Ownership Office staff to prepare an EMA Review Sheet for the Department of Housing Executive Director (EDOH) to approve or deny the application.
 - 5.7.1 Approval or denial of all applications will be determined by Eligibility Criteria established by the EMA program.
 - 5.8 HOM will inform Home Ownership Office staff of the ED's decision.
 - 5.8.1 If approved, HOO staff will prepare the Grant Approval Stipulation Letter and mail it to the applicant for signature, and to the Financial Institution for their records.
 - 5.8.2 If denied, the HOO staff will prepare a denial letter for the HOM's signature, and mail it to the applicant.
 - 5.8.2.1 HOP Staff will then go to the next EMA applicant, following 5.6 according to EMA policy.
 - 5.9 HOM receives the signed Grant Approval Stipulation Letter from the applicant.
 - 5.9.1 HOM will inform the Project Coordinator (PC) to obtain wire instructions from the Financial Institution to prepare a Draw Request.
 - 5.9.2 The PC will get the HOM signature on the Draw Request.
 - 5.9.3 HOM will deactivate the applicant on the HOP waiting list.
 - 5.10 The PC will give the Draw Request with wiring instructions to the Junior Accountant (JA) for processing.
 - 5.11 JA will process the wire through the current financial software.
 - 5.12 JA will forward the wire confirmation from the Treasury Department to the HOO.
 - 5.13 HOM performs final review and closes the file.
 - 5.13.1 The file will be transferred to Records for scanning and storage per Records Transfer policy.
- 6.0 Attachments/Forms:**
- 6.1 Employment Relations Act 6 HCC § 5, page 4
 - 6.2 Existing Mortgage Assistance Application
 - 6.3 Authorization for Release of Information
 - 6.4 Existing Mortgage Assistance Stipulation Agreement
 - 6.5 Sh OG La Resolution 10-09-18D
 - 6.6 Not Deemed Lavish or Extravagant Resolution 11-09-21 A
- 7.0 Definitions:**
- 7.1 **Draw Request:** Processing document filled out by the proper individual to request a payment to be processed through the Financial Division.
 - 7.2 **EMA:** Existing Mortgage Assistance
 - 7.3 **HOM:** Home Ownership Manager
 - 7.4 **JA:** Junior Accountant
 - 7.5 **PC:** Project Coordinator



HO-CHUNK NATION POLICY & PROCEDURE

8.0 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
- 03/12/21: 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;

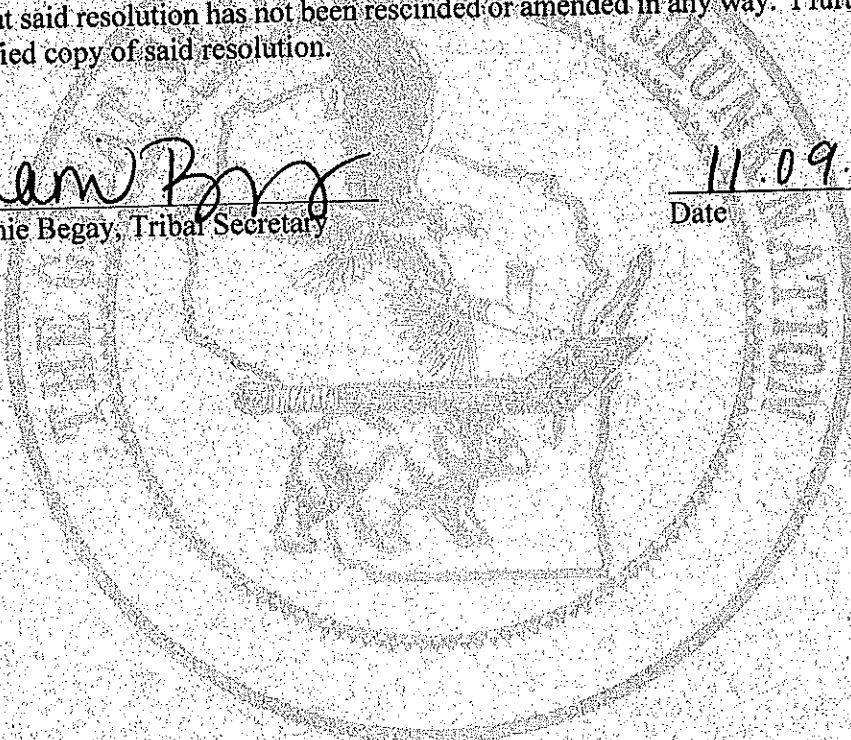
NOW THEREFORE BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby makes the determination that the Home Ownership Program, Down Payment Assistance Program, and Existing Mortgage Assistance Program (whether as loans or grants) are not deemed lavish or extravagant based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

Existing Mortgage 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 <input type="checkbox"/> Other _____	
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 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



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
Existing Mortgage Assistance Stipulation Agreement

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

There are two (2) stipulations to this Existing Mortgage Assistance (EMA) 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